

Referendum Ordinance No. _____

A REFERENDUM ORDINANCE AMENDING ARTICLE 27, SECTION 190 OF THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, AND RELATIVE TO AMENDMENTS THERETO PURSUANT TO THE PROVISIONS OF ARTICLE 11 SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) TO ALLOW SPECIFIED PERSONNEL EMPLOYED WITH THE DIVISIONS OF POLICE AND FIRE SERVICES TO RESIDE WITHIN 50 MILES FROM THE CITY OF MEMPHIS.

WHEREAS, Section 190 of the Memphis City Charter was amended by Home Rule Ordinance No. 5345 and a referendum ordinance of November 2, 2010, was approved by the voters requiring that all employees must live and maintain a residence within the boundaries of Shelby County, Tennessee; and

WHEREAS, Home Rule Ordinance 5345 applies to persons employed with the Memphis City Police Department and Fire Departments, negatively impacting the City's ability to recruit and retain public safety employees; and

WHEREAS, due to the critical need to fill the large number of public safety vacancies to ensure that proper emergency care is provided to the citizens of Memphis, to better approach proactive policing and to respond to the emergency needs of any individual residing within the boundaries, the divisions of Police and Fire Services will allow specific personnel to reside within 50 miles from the City of Memphis; and

WHEREAS, the City Council deems this legislation to allow specific personnel employed with the division of Police and Fire Services to reside within 50 miles from the City of Memphis is prudent to move our great City forward for the safety, health, and welfare of our citizens.

Section 1. Proposed Amendment

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS and submitted by the City of Memphis to its qualified voters at the first county general, state and federal primary election, which shall be held in the City of Memphis on August 4, 2022, and which shall be held at least sixty (60) days after such publication:

QUESTION:

Shall the Charter of the City of Memphis, Tennessee be amended to create a new employee classification to include commissioned officers and employees in training to be commissioned officers within the Division of Police Services and state certified specified personnel and employees in training to be state certified specified personnel within the Division of Fire Services to be exempted from the residency provisions of the Memphis City Charter and allowed to reside within 50 miles from the City of Memphis and shall also be subject to the following provisions which shall replace the present Article 27, Section 190, "which is hereby repealed in its entirety and the substitution in lieu thereof the following revised Article 27, Section 190, to read as follows:

Article 27.

Section 190. Employee Residency

A. Employee Classifications

1. Employees shall include persons employed by the City of Memphis or any of its department or divisions.
2. Public Safety Commissioned Personnel shall mean and include commissioned and state certified employees within Police and Fire Services division and employees enrolled in programming to complete commission training and state certification within the Police and Fire Services Division.
 - a. Commissioned Police Personnel shall include commissioned and state certified police officers.
 - b. Commissioned Fire Personnel shall include state certified firefighters, emergency medical technicians, and paramedics.

B. Residency

1. All employees of the City of Memphis must reside within the county of Shelby, Tennessee.
2. Public Safety Commissioned Personnel shall be exempt from the residency requirements and shall be allowed to reside within 50 miles from the City of Memphis.

Section 2. Publication of Home Rule Amendment

BE IT FURTHER ORDAINED, that the Comptroller is hereby directed to cause the Ordinance to be published pursuant to provisions of Article 11, Section 9 of the Constitution of the State of Tennessee.

Section 3. Delivery to Election Commission

BE IT FURTHER ORDAINED, that the Comptroller of the City of Memphis shall certify adoption of this Ordinance to the Shelby County Election Commission in charge of holding the county general, state and federal primary election on August 4, 2022, and request that this proposed amendment to the Home Rule Charter of the City of Memphis be placed on the ballot.

Section 4. Proposal and preference

BE IT FURTHER ORDAINED, that the Comptroller of the City of Memphis is hereby directed to deliver a copy of this Ordinance to the Shelby County Election Commission, together with a suggested proposal and the following form of preference to be placed on the ballot in an election to be held on the 4th day of August 2022:

REFERENDUM ORDINANCE ALLOWING COMMISSIONED EMPLOYEES WITH THE DIVISIONS OF POLICE AND FIRE SERVICES TO BE EXEMPTED FROM THE RESIDENCY PROVISION AND ALLOWED TO RESIDE WITHIN 50 MILES FROM THE CITY OF MEMPHIS.

Said ordinance of the City of Memphis was adopted on the day of _____, 20__, to provide for referendum vote on a Home Rule amendment to the Charter of the City of Memphis, to read as follows:

Shall the Charter of the City of Memphis, Tennessee be amended to create a new employee classification to include commissioned officers and employees in training to be commissioned officers within the Division of Police Services and state certified specified personnel and employees in training to be state certified specified personnel within the Division of Fire Services to be exempted from the residency provisions of the Memphis City Charter and allowed to reside within 50 miles from the City of Memphis and shall also be subject to the following provisions which shall replace the present Article 27, Section 190, "which is hereby repealed in its entirety and the substitution in lieu thereof the following revised Article 27, Section 190, to read as follows:

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2. Public Safety Commissioned Personnel shall mean and include commissioned and state certified employees within Police and Fire Services division and employees enrolled in programming to complete commission training and state certification within the Police and Fire Services Division.
 - a. Commissioned Police Personnel shall include commissioned and state certified police officers.
 - b. Commissioned Fire Personnel shall include state certified firefighters, emergency medical technicians, and paramedics.

B. Residency

1. All employees of the City of Memphis must reside within the county of Shelby, Tennessee.
2. Public Safety Commissioned Personnel shall be exempt from the residency requirements and shall be allowed to reside within 50 miles from the City of Memphis.

FOR (YES)

AGAINST (NO)

Section 5. Effective Date of Charter Amendment

BE IT FURTHER ORDAINED, that this Ordinance shall take effect for the purposes set forth herein sixty (60) days after approval by a majority of the qualified voters voting thereon in an election to be held on the 4th day of August 2022, the public welfare, requiring it.

Section 6. Certification of Results

BE IT FURTHER ORDAINED, That the Shelby County Election Commission certify the result of said election to the Comptroller of the City of Memphis, who shall see that said result is made a part of the Minutes of the Council of the City of Memphis.

Section 7. Nonconflicting- Conflicting Laws

BE IT FURTHER ORDAINED, that upon adoption of this Home Rule Amendment, all laws constituting the present Charter of the City of Memphis, not in conflict with this amendatory Home Rule Ordinance, be and the same are here continued in full force and effect, and all laws in conflict therewith are hereby repealed.

Section 8. Severability

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this ordinance notwithstanding the parts so held to be invalid, if any.

Section 9. Publication

BE IT FURTHER ORDAINED, that this ordinance shall be published immediately after the adoption hereof.

Section 10. Enactment of City Ordinance

BE IT FURTHER ORDAINED, that this ordinance shall take effect from and after the date it shall have passed by the Council signed by the Chairman of the Council, certified and delivered to the office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Sponsors
Ford Canale
Worth Morgan

Chairman
Frank Colvett

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 03/22/2022

DATE

PUBLIC SESSION: 03/22/2022

DATE

ITEM (CHECK ONE)

ORDINANCE _____ CONDEMNATIONS _____ GRANT ACCEPTANCE / AMENDMENT
 _____ RESOLUTION _____ GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 _____ OTHER: _____

ITEM DESCRIPTION: An ordinance approving a zoning change
CASE NUMBER: Z 21-01
DEVELOPMENT: Scannell Properties
LOCATION: 0 Mineral Wells Road 500 feet south of the intersection of Mineral Wells Road and Global Drive
COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: Knauf Insulation, Inc./Scannell Properties
REPRESENTATIVES: Dedrick Brittenum – Brittenum Law, PLLC
EXISTING ZONING: Conservation Agriculture (CA)
REQUEST: Employment (EMP)
AREA: +/-45.36 acres
RECOMMENDATION: The Division of Planning and Development recommended *Approval*
 The Land Use Control Board recommended *Approval*

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**
 Set date for first reading – March 22, 2022
 Second reading – April 5, 2022
 Third reading – April 19, 2022

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
 03/10/2022 _____ DATE
 (1) Land Use Control Board _____ ORGANIZATION - (1) BOARD / COMMISSION
 _____ (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
 \$ _____ AMOUNT OF EXPENDITURE
 \$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____ OPERATING BUDGET
 \$ _____ CIP PROJECT # _____
 \$ _____ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 22-01

Zoning Ordinance approving a zoning district reclassification for the subject property located at 0 Mineral Wells Road 500 feet south of the intersection of Mineral Wells Road and Global Drive:

- This item is an ordinance for reclassification from Conservation Agriculture (CA) to Employment (EMP) at the aforementioned location; and
- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, SO AS TO MAKE CERTAIN CHANGES IN THE USE DISTRICTS PROVIDED IN SAID ORDINANCE

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 22-01**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:

SECTION 1:

THAT, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE EMPLOYMENT (EMP) USE DISTRICT.

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

LEGAL DESCRIPTION OF PROPERTY DESCRIBED IN LAND DESCRIPTION PER CHARTER INSTRUMENT NO. 20015563 IN THE NAME OF KNAUF INSULATION, LLC RECORDED IN THE REGISTER'S OFFICE OF SHELBY COUNTY, TN.

DESCRIPTION OF 19.54 ACRE TRACT OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP I SOUTH, RANGE 5 WEST, SHELBY COUNTY,

TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST COMER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SHELBY COUNTY, TENNESSEE; THENCE WESTERLY FOR A DISTANCE OF 1024.88 FEET TO A POINT; THENCE SOUTHWESTWARDLY FOR A DISTANCE OF 1521.81 FEET TO A RAILROAD SPIKE FOUND IN MINERAL WELLS ROAD; SAID POINT BEING THE TRUE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 84 DEGREES 22 MINUTES 16 SECONDS WEST ALONG A COMMON BOUNDARY LINE OF THE SHROYER TRACT FOR A DISTANCE OF 1452.97 FEET TO AN AXLE FOUND; THENCE SOUTH 04 DEGREES 35 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 343.75 FEET TO A COMMON COMER OF THE SHROYER TRACT (3/4" PIPE FOUND 1/65 FEET NORTH) OF POINT; THENCE SOUTH 41 DEGREES 30 MINUTES 59 SECONDS EAST ALONG THE FRISCO RAILROAD NORTH RIGHT-OR-WAY (ROW) FOR A DISTANCE OF 583.02 FEET TO A 1/2" REBAR SET; THENCE NORTH 84 DEGREES 04 MINUTES 03 SECONDS EAST ALONG THE MISSISSIPPI AND TENNESSEE STATE BOUNDARY LINE FOR A DISTANCE OF 613.77 FEET TO A 1" PIPE FOUND; THENCE CONTINUE ALONG SAID BOUNDARY LINE NORTH 84 DEGREES 24 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 358.40 FEET TO A RAILROAD SPIKE FOUND IN MINERAL WELLS ROAD; SAID POINT BEING THE NORTHEAST COMER OF MINERAL WELLS BAPTIST CHURCH TRACT; THENCE NORTH 06 DEGREES 52 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 542.22 FEET TO THE POINT OF BEGINNING, SUBJECT TO ROAD RIGHT-OF-WAY.

SECTION 2:

THAT, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

SECTION 3:

THAT, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

ATTEST:

**CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement
Shelby County Assessor**

//: ATTACHMENTS

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, March 10, 2022**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 22-01

LOCATION: 0 Mineral Wells Road 500 feet south of the intersection of Mineral Wells Road and Global Drive

COUNCIL DISTRICT(S): District 3, Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Knauf Insulation, Inc./Scannell Properties

REPRESENTATIVE: Dedrick Brittenum – Brittenum Law, PLLC

REQUEST: Employment (EMP) District

EXISTING ZONING: Conservation Agriculture (CA)

AREA: +/-45.36 acres

The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application.

The motion passed by a unanimous vote of 8-0 on the consent agenda.

Respectfully,



Seth Thomas
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

AGENDA ITEM: 22

CASE NUMBER: Z 22-01 **L.U.C.B. MEETING:** March 10, 2022

LOCATION: 0 Mineral Wells Road 500 feet south of the intersection of Mineral Wells Road and Global Drive

COUNCIL DISTRICT: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Knauf Insulation, Inc./Scannell Properties

REPRESENTATIVE: Dedrick Brittenum – Brittenum Law, PLLC

REQUEST: Rezoning of 19.48 acres from Conservation Agriculture (CA) to Employment (EMP)

AREA: +/-45.36 acres

EXISTING ZONING: Conservation Agriculture (CA)

CONCLUSIONS

1. Rezoning of 19.48 acres from Conservation Agriculture (CA) to Employment (EMP)
2. Given the industrial use zoning entitlements and industrial uses of the surrounding properties, staff finds the proposed industrial rezoning of this property consistent with the pattern of development and is also consistent with the proposed future growth of the area.
3. The subject property is vacant at this time.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 10-12 of this report.

RECOMMENDATION

Approval

GENERAL INFORMATION

Street Frontage: Mineral Wells Road +/-542.22 linear feet
Zoning Atlas Page: 2545
Parcel ID: 094200 00167
Existing Zoning: Conservation Agriculture (CA)

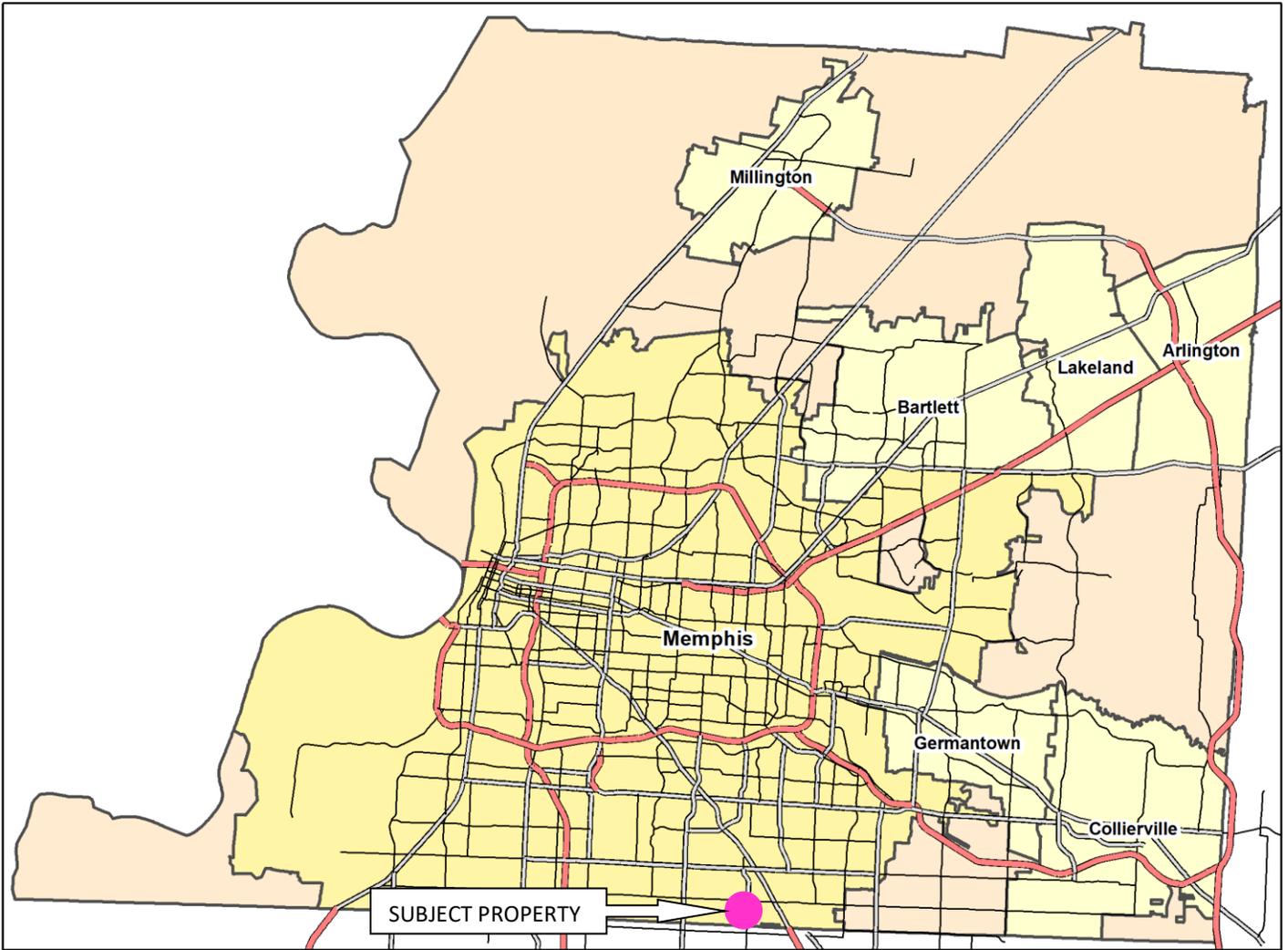
NEIGHBORHOOD MEETING

Due to conformity with the Memphis 3.0 plan, a neighborhood meeting is not required.

PUBLIC NOTICE

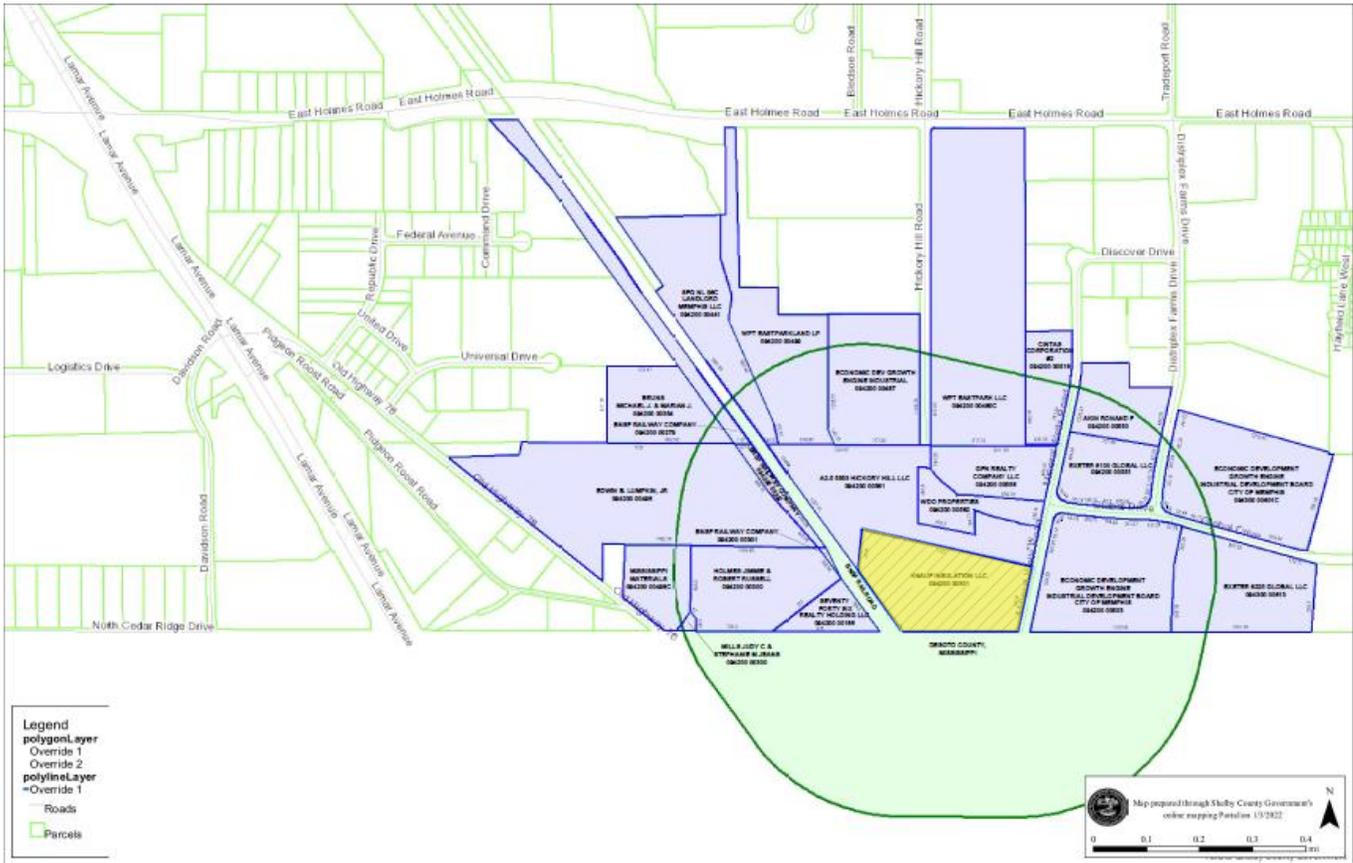
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 23 notices were mailed on February 22, 2022, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



Subject property located within the pink circle

VICINITY MAP



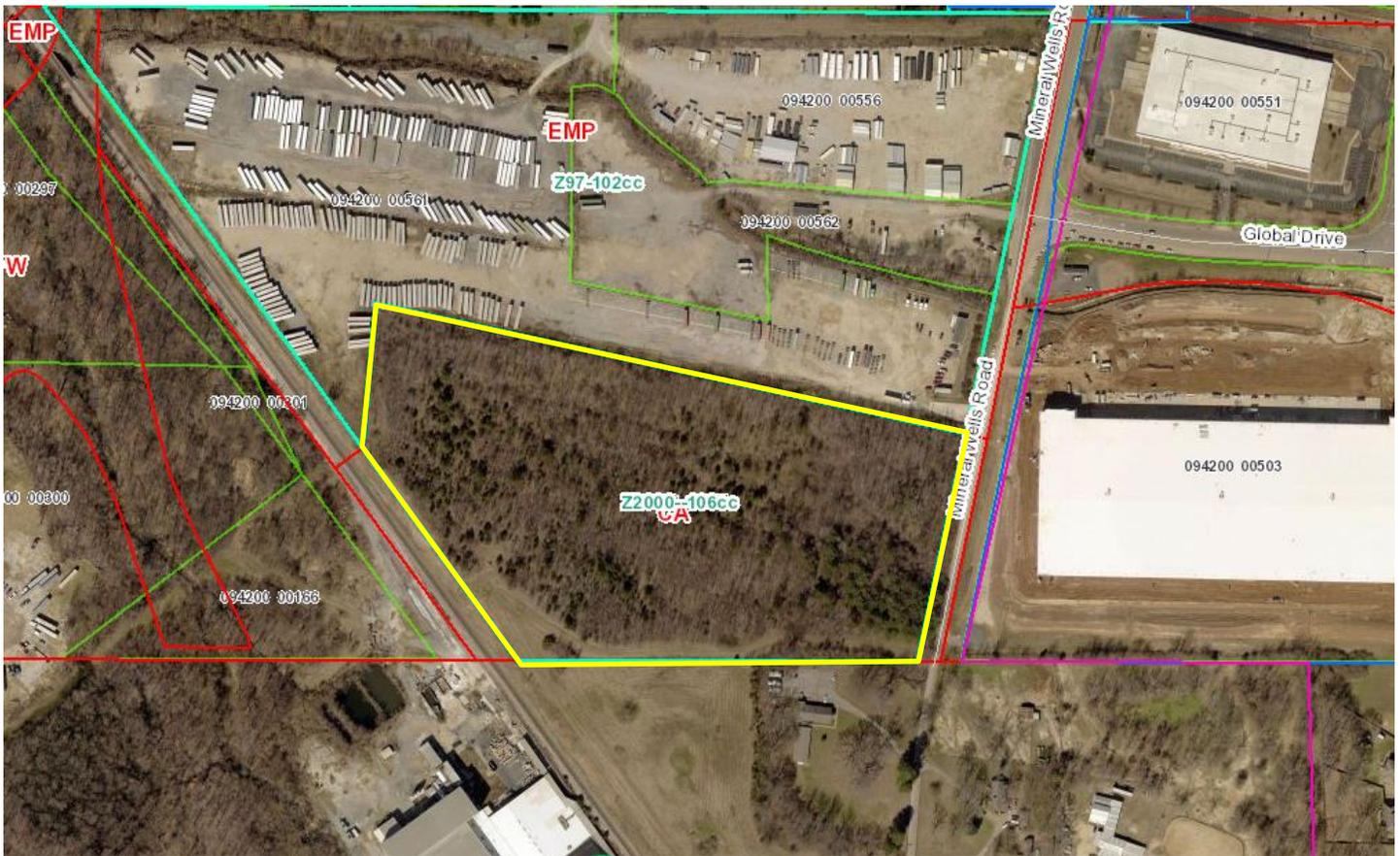
Subject property highlighted in yellow

AERIAL



Subject property outlined in yellow

ZONING MAP



Subject property highlighted in yellow

Existing Zoning: Conservation Agriculture (CA)

Surrounding Zoning

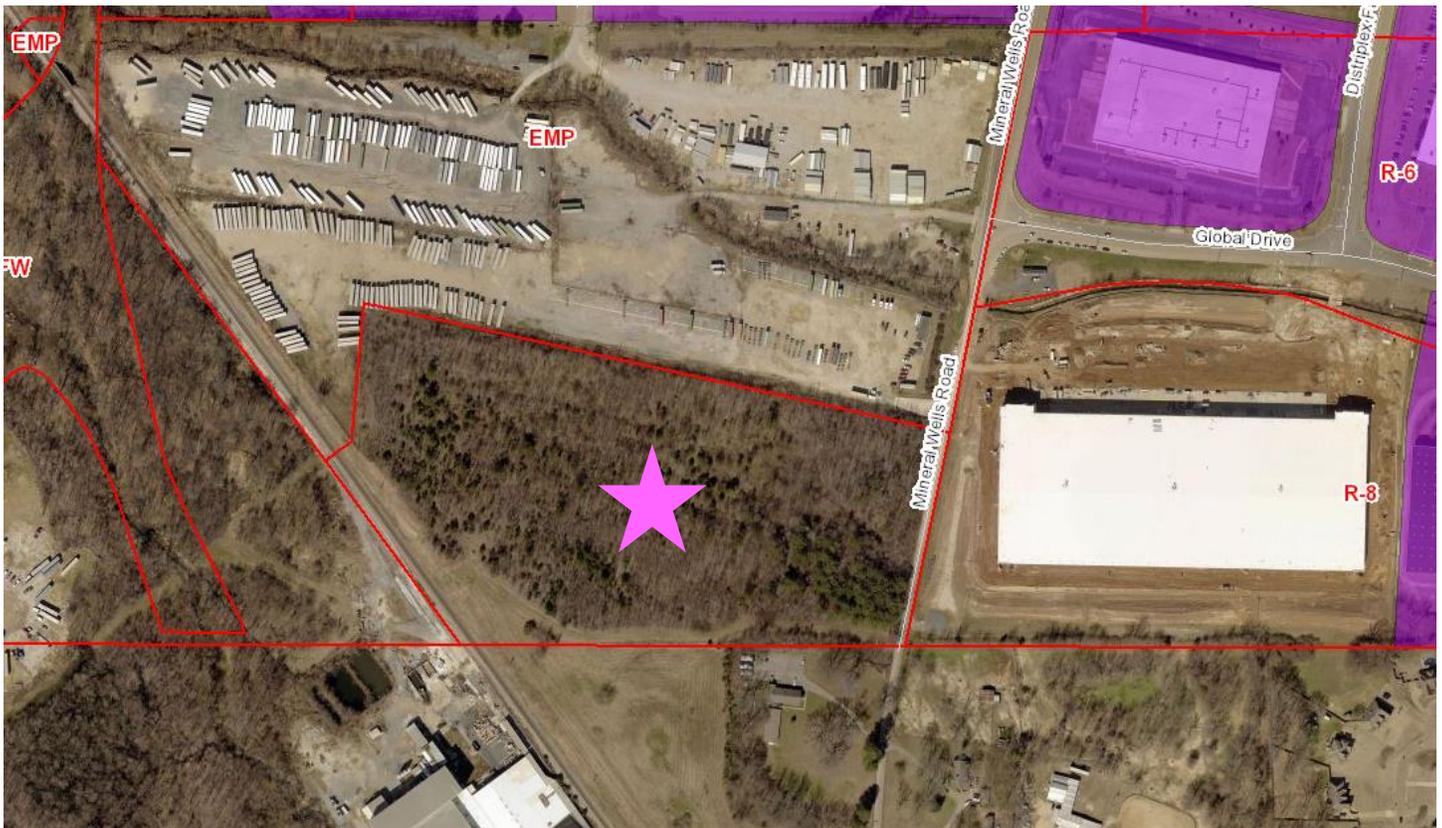
North: Employment (EMP)

East: PD 98-351cc

South: Mississippi

West: Conservation Agriculture (CA), FW, and Employment (EMP)

LAND USE MAP



LandUse

 SINGLE-FAMILY	 OFFICE
 MULTI-FAMILY	 INDUSTRIAL
 INSTITUTIONAL	 PARKING
 COMMERCIAL	 VACANT
 RECREATIONAL / OPEN SPACE	

Subject property indicated by pink star

SITE PHOTOS



View of subject property from Mineral Wells Road facing southwest.



View of subject property from Mineral Wells Road facing northwest.

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

Rezoning of 19.48 acres from Conservation Agriculture (CA) to Employment (EMP).

Review Criteria

Staff agrees the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met.

9.5.7B Review Criteria

In making recommendations, the Land Use Control Board shall consider the following matters:

- 9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*
- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

Site Description

The subject property is a +/-19.48 acres and is located on the west side of Mineral Wells Drive – 500 feet south of Global Drive. This site is currently zoned Conservation Agriculture and it is vacant land. The southern portion of the property borders the Mississippi/Tennessee state line. The site is adjacent to Industrial Districts to the on the eastern, western, and northern side either through zoning entitlements such as planned developments or general zoning dispensations.

Consistency with Memphis 3.0

Staff uses the following criteria contained in Memphis 3.0 to determine consistency.

1. FUTURE LAND USE PLANNING MAP



Red polygon indicates the application sites on the Future Land Use Map.

2. Land use description & applicability:

Open Spaces and Natural Features are mainly natural features with a focus on preservation and sometimes allow for passive recreation, such as wildlands, wetlands, or waterways. These lands mainly perform environmental functions that allow for natural wildlife and ecological interactions to occur, therefore, necessitating conservation practices when applicable.



“OSN” Goals/Objectives:

Preservation, restoration, and maintenance of natural habitat, flood control, environmental stewardship, passive recreation.

“OSN” Form & Location Characteristics:

Conservation and recreational uses.

The applicant is seeking approval to rezone the parcel from CA to EMP. The intention is to develop the parcel for distribution and warehouse uses.

The request does not meet the criteria of OSN, as the proposed use would be a warehouse, which is not included under open spaces and natural features typology. However, the parcel is surrounded by industrial/warehouses, there is no residential nearby, and it does not fall under any flood zone. The new development would not disrupt the current character of the area. Therefore, the proposal is consistent.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land uses: Industrial. The subject site is surrounded by the following zoning district: R-8, EMP, and CA. This requested land use is compatible with the adjacent land uses because *existing land uses surrounding the parcels is similar in nature to the requested use.*

4. Degree of Change map



Red polygon denotes the proposed site in Degree of Change area. There is no degree of change.

Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Conclusions

Rezoning of 19.48 acres from Conservation Agriculture (CA) to Employment (EMP)

Given the industrial use zoning entitlements and industrial uses of the surrounding properties, staff finds the proposed industrial rezoning of this property consistent with the pattern of development and is also consistent with the proposed future growth of the area.

The subject property is vacant at this time.

RECOMMENDATION

Staff recommends approval

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

- | | |
|---|-----------------------|
| City/County Engineer: | No comments received. |
| City/County Fire Division: | No comments received. |
| City Real Estate: | No comments received. |
| City/County Health Department: | No comments received. |
| Shelby County Schools: | No comments received. |
| Construction Code Enforcement: | No comments received. |
| Memphis Light, Gas and Water: | No comments received. |
| Office of Sustainability and Resilience: | No comments received. |
| Office of Comprehensive Planning: | No comments received. |

APPLICATION

DocuSign Envelope ID: A62FCA37-2BB9-473B-9C14-17765481F27A



Memphis and Shelby County
Office of Planning and Development
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: 01/06/2022

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Knauf Insulation, Inc., f/k/a Guardian Fiberglass, Inc. Phone #: _____

Mailing Address: 1 Knauf Drive City/State: Shelbyville, IN Zip 46176

Property Owner E-Mail Address: clong@kdlegal.com

Applicant: Scannell Properties Phone # 763-251-6300

Mailing Address: 8801 River Crossing Blvd, Suite 300 City/State: Indianapolis, IN Zip 46240

Applicant E-Mail Address: tomm@scannellproperties.com

Representative: Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3835 Airways Boulevard, Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: Pickering Firm Phone # 901-726-0810

Mailing Address: 6363 Poplar Avenue, Suite 300 City/State: Memphis, TN Zip 38119

Engineer/Surveyor E-Mail Address: mbrown@pickeringfirm.com

Street Address Location: 0 Mineral Wells Road

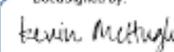
Distance to nearest intersecting street: 500 feet south of Global Drive

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>19.48</u>	_____	_____
Existing Zoning:	<u>CA</u>	_____	_____
Existing Use of Property	<u>Vacant</u>	_____	_____
Requested Use of Property	<u>Distribution / Warehouse</u>	_____	_____
Requested Zoning	<u>EMP</u>	_____	_____

Pre-Application Conference held on: 12/16/2021 with Chip Saliba

Neighborhood Meeting Requirement Met: Yes or Not Yet or Not Required (see below)
(If yes, documentation must be included with application materials)

I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

DocuSigned by:
 1/4/2022  1/5/22
 Property Owner of Record Date Applicant Date

DocuSign Envelope ID: A62FCA37-2BB9-473B-9C14-17765481F27A

UDC Article 9.5, Zoning Change

A zoning change shall correspond with the boundary lines of existing tracts and lots. Where the boundaries of a zoning change request stop short of an exterior property line, it must be possible to subdivide and develop that portion of the property outside the proposed zoning change boundary in accordance with the existing zoning and other requirements of this development code (sub-section 9.5.2A).

All zoning requirements shall be met within the boundaries of the area being rezoned. If all the requirements cannot be met on the site being rezoned, the zoning change shall be expanded to include all property necessary to meet zoning requirements (sub-section 9.5.2B).

Any zoning change affecting property within a community redevelopment area shall be supported by the Community Redevelopment Plan for area (sub-section 9.5.2C).

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF**

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site which the hearing involves (Section 9.3.2):

- 1) Zoning changes not in compliance with any plans to be considered (see Chapter 1.9);
- 2) Special use permit and major modification to a special use permit; and
- 3) Planned development outline plan or major modification to a planned development outline plan.

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

LETTER OF INTENT

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aeropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

6 January 2022

Mr. Brett Ragsdale
Administrator, Zoning / Urban Design
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 476
Memphis, TN 38103

Via Hand Delivery

RE: Knauf Insulation Property, 0 Mineral Wells Road, Memphis

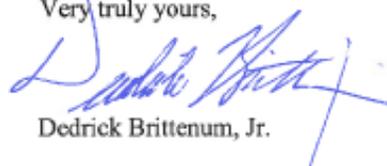
Dear Administrator Ragsdale:

I represent Scannell Properties of Indianapolis, Indiana for a rezoning application to develop the above tract for employment district (EMP) uses. The subject site is 19.48 acres and is one of the few remaining parcels in the airport southeastern employment zone south of Global Drive. The property is vacant and currently zoned Conservation Agriculture (CA). It is in a vicinity that currently has mature employment and industrial uses to the north and west. Although property zoned residential is to the east, it appears the nearest residential development is southeast in Mississippi. The site sits on the north side of the Tennessee Mississippi state line.

The application seeks approval of EMP district zoning for distribution, warehouse and related uses. The Memphis 3.0 Comprehensive Plan, Future Land Use Planning Map recommends industrial and industrial flex uses for the area. Rezoning would support additional development investment in this vicinity to encourage much needed employment growth for Memphis. Upon approval, this tract will be ideal for more jobs in this community. Enclosed is the Application for Rezoning Approval with supporting documents. Your favorable recommendations is requested for this case.

Thank you for your attention and should you have questions or comments, please advise. I remain,

Very truly yours,



Dedrick Brittenum, Jr.

enclosure

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

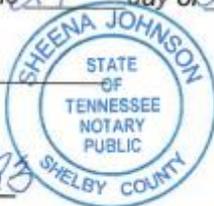
I, Manny L. Brown, Jr., being duly sworn, depose and say that at 3:25 am on the 21 day of January, 2022, I posted 1 Public Notice Sign(s) pertaining to Case No. Z 2022-001 at Mineral Wells Road, providing notice of a Public Hearing before the Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

M. L. Brown, Jr.
Owner, Applicant or Representative

1/27/2022
Date

Subscribed and sworn to before me this 27th day of January, 2022.

Sheena Johnson
Notary Public



My commission expires: 1-16-2023

My Comm. Exp. 1-16-2023



LETTERS RECEIVED

No letters received at the time of completion of this report.



MEMPHIS AND SHELBY COUNTY

Record Summary for Rezoning

Record Detail Information

Record Type: **Rezoning**

Record Status: **Assignment**

Opened Date: **January 5, 2022**

Record Number: **Z 2022-001**

Expiration Date:

Record Name: **Mineral Wells Rd - Rezoning**

Description of Work: **Rezoning of a parcel on Mineral Wells Road, adjacent to the state line, from CA to EMP.**

Parent Record Number:

Address: 5637 MINERAL WELLS RD, MEMPHIS, TN 38141

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	KNAUF INSULATION LLC	1 KNAUF DR, SHELBYVILLE, IN 46176	

Parcel Information

Parcel No:
094200 00167

Contact Information

Name: Tom McCary Organization Name: Scannell Properties Contact Type: Applicant Phone: (763) 251-6300
Suffix:
Address:

Dedrick Brittenum Brittenum Law, PLLC Representative (901) 552-5994
Address:

Marvin Brown Pickering Firm Architect / Engineer / Surveyor (901) 726-0810
Address:

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1351291	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	01/06/2022		PLNGREZON E09
Total Fee Invoiced: \$0.00					Total Balance: \$0.00			

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner: Chip Saliba
Date of Meeting: 12/16/2021

GENERAL INFORMATION

Have you held a neighborhood meeting? No
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter? No
If yes, please provide additional information -

GIS INFORMATION

Central Business Improvement District No

Case Layer	Z97-102cc, Z00-106cc
Class	I
Downtown Fire District	No
Historic District	-
Land Use	VACANT
Municipality	MEMPHIS
Overlay/Special Purpose District	-
Zoning	CA
State Route	-
Lot	-
Subdivision	-
Planned Development District	-



Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR REZONING APPROVAL

Date: 01/06/2022

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Knauf Insulation, Inc., f/k/a Guardian Fiberglass, Inc. Phone #: _____

Mailing Address: 1 Knauf Drive City/State: Shelbyville, IN Zip 46176

Property Owner E-Mail Address: clong@kdlegal.com

Applicant: Scannell Properties Phone # 763-251-6300

Mailing Address: 8801 River Crossing Blvd, Suite 300 City/State: Indianapolis, IN Zip 46240

Applicant E- Mail Address: tomm@scannellproperties.com

Representative: Dedrick Brittenum, Jr. Phone #: 901-552-5994

Mailing Address: 3835 Airways Boulevard, Suite 229 City/State: Memphis, TN Zip 38116

Representative E-Mail Address: db@brittenumlaw.com

Engineer/Surveyor: Pickering Firm Phone # 901-726-0810

Mailing Address: 6363 Poplar Avenue, Suite 300 City/State: Memphis, TN Zip 38119

Engineer/Surveyor E-Mail Address: mbrown@pickeringfirm.com

Street Address Location: 0 Mineral Wells Road

Distance to nearest intersecting street: 500 feet south of Global Drive

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	19.48	_____	_____
Existing Zoning:	CA	_____	_____
Existing Use of Property	Vacant	_____	_____
Requested Use of Property	Distribution / Warehouse	_____	_____
Requested Zoning	EMP	_____	_____

Pre-Application Conference held on: 12/16/2021 with Chip Saliba

Neighborhood Meeting Requirement Met: Yes or Not Yet or Not Required (see below)
 (If yes, documentation must be included with application materials)

I (we) hereby make application for the rezoning classification described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

DocuSigned by:
Kevin McHugh 1/4/2022 Tom McHugh 1/5/22
D617952ED04B4E5...
 Property Owner of Record Date Applicant Date

UDC Article 9.5, Zoning Change

A zoning change shall correspond with the boundary lines of existing tracts and lots. Where the boundaries of a zoning change request stop short of an exterior property line, it must be possible to subdivide and develop that portion of the property outside the proposed zoning change boundary in accordance with the existing zoning and other requirements of this development code (sub-section 9.5.2A).

All zoning requirements shall be met within the boundaries of the area being rezoned. If all the requirements cannot be met on the site being rezoned, the zoning change shall be expanded to include all property necessary to meet zoning requirements (sub-section 9.5.2B).

Any zoning change affecting property within a community redevelopment area shall be supported by the Community Redevelopment Plan for area (sub-section 9.5.2C).

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF**

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site which the hearing involves (Section 9.3.2):

- 1) Zoning changes not in compliance with any plans to be considered (see Chapter 1.9);
- 2) Special use permit and major modification to a special use permit; and
- 3) Planned development outline plan or major modification to a planned development outline plan.

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

GUIDE FOR SUBMITTING ZONING DISTRICT RECLASSIFICATION APPLICATION

- A **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the plot plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
- 1) This application, 8.5"x11" Plot Plan, Concept Plan*, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" and a copy of Deed(s).
 - 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)

- B **PLOT PLAN AND LEGAL DESCRIPTION**
- 1) Two (2) copies of the plot plan, drawn to scale (1"=50', =100' or =200'), showing each parcel to be considered. Two or more parcels may be described on one sheet. If property is encumbered by easements, show type and location on plot plan.
 - 2) Two (2) copies of legal description shall be attached to plot plan if not shown or described on the plan.

- C **VICINITY MAP**
- Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

- D **LIST OF NAMES AND ADDRESSES**
- 1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
 - 2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.

- E **FILING FEES** *(All Fees Are Subject To Change without Prior Notice)*
- 1) Residential Rezoning: 5.0 Acres or less=\$750. Each additional acre or fraction thereof =\$75 per acre Maximum =\$7,500.
 - 2) Non-Residential Rezoning: 5 acres or less = \$1,000.00. Each additional acre or fraction thereof =\$100.00 per acre. Maximum fee=\$7,500.00
Make check payable to "M/SC Office of Planning and Development"

*The requirement for submission of a Concept Plan with a Rezoning Application may be waived by the Office of Planning and Development.

Brittenum

Law pllc

ATTORNEY AT LAW
Airways Professional Center – Aerotropolis
3385 Airways Boulevard, Suite 229
Memphis, Tennessee 38116 USA
Telephone 901.347.3978
Facsimile 901.800.1927
db@brittenumlaw.com

6 January 2022

Mr. Brett Ragsdale
Administrator, Zoning / Urban Design
Memphis & Shelby County Office of Planning and Development
City Hall
125 North Main Street, Suite 476
Memphis, TN 38103

Via Hand Delivery

RE: Knauf Insulation Property, 0 Mineral Wells Road, Memphis

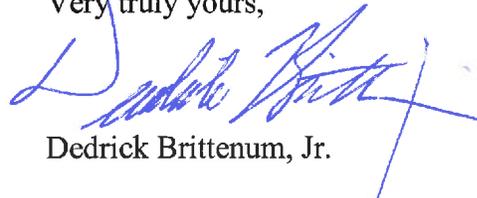
Dear Administrator Ragsdale:

I represent Scannell Properties of Indianapolis, Indiana for a rezoning application to develop the above tract for employment district (EMP) uses. The subject site is 19.48 acres and is one of the few remaining parcels in the airport southeastern employment zone south of Global Drive. The property is vacant and currently zoned Conservation Agriculture (CA). It is in a vicinity that currently has mature employment and industrial uses to the north and west. Although property zoned residential is to the east, it appears the nearest residential development is southeast in Mississippi. The site sits on the north side of the Tennessee Mississippi state line.

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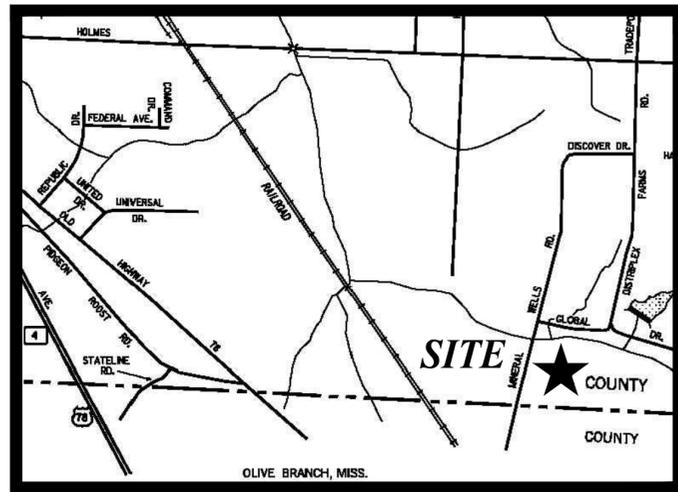
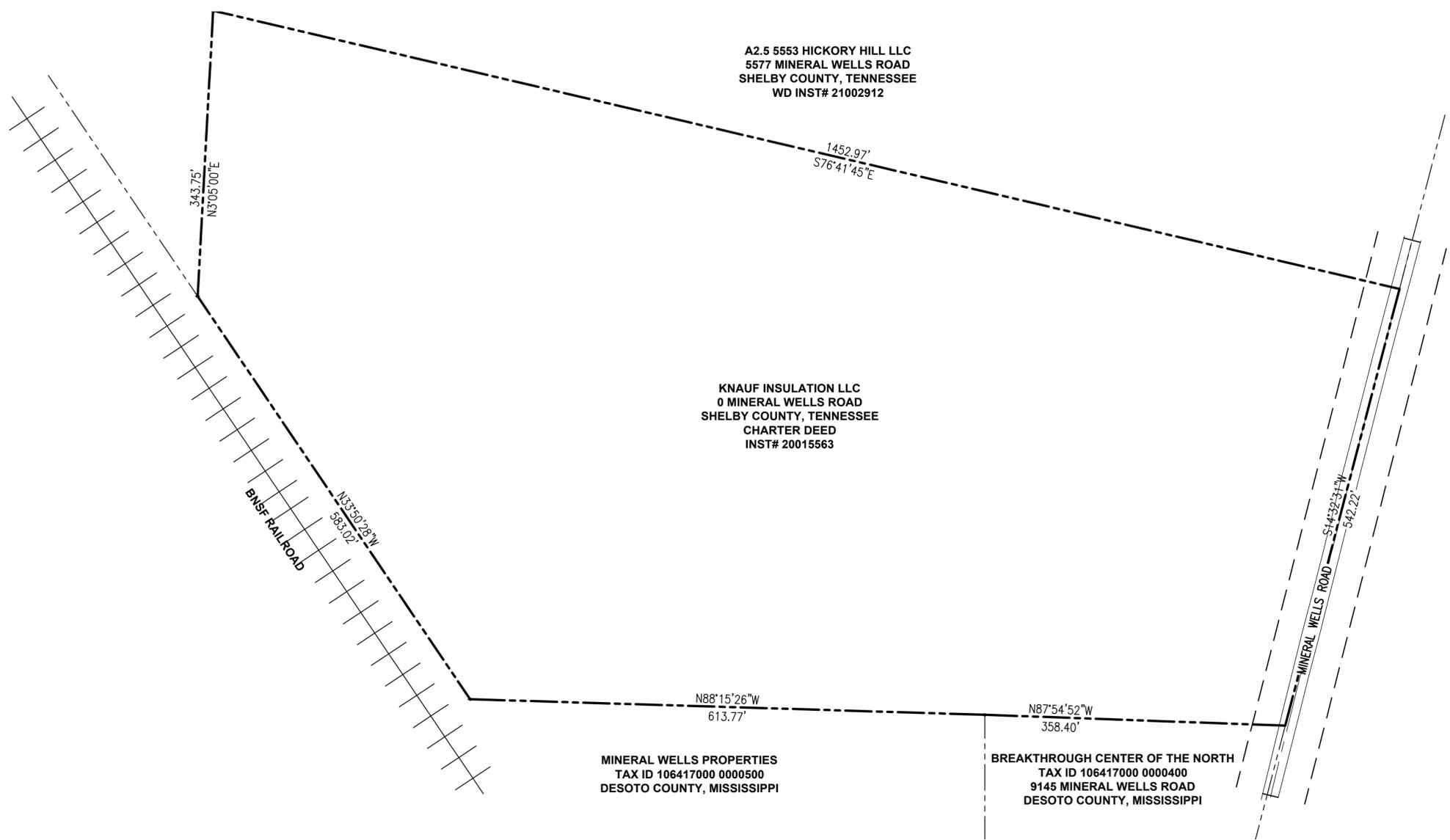
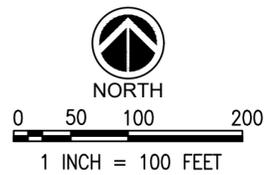
Thank you for your attention and should you have questions or comments, please advise. I remain,

Very truly yours,



Dedrick Brittenum, Jr.

enclosure



RECORDING STAMPS

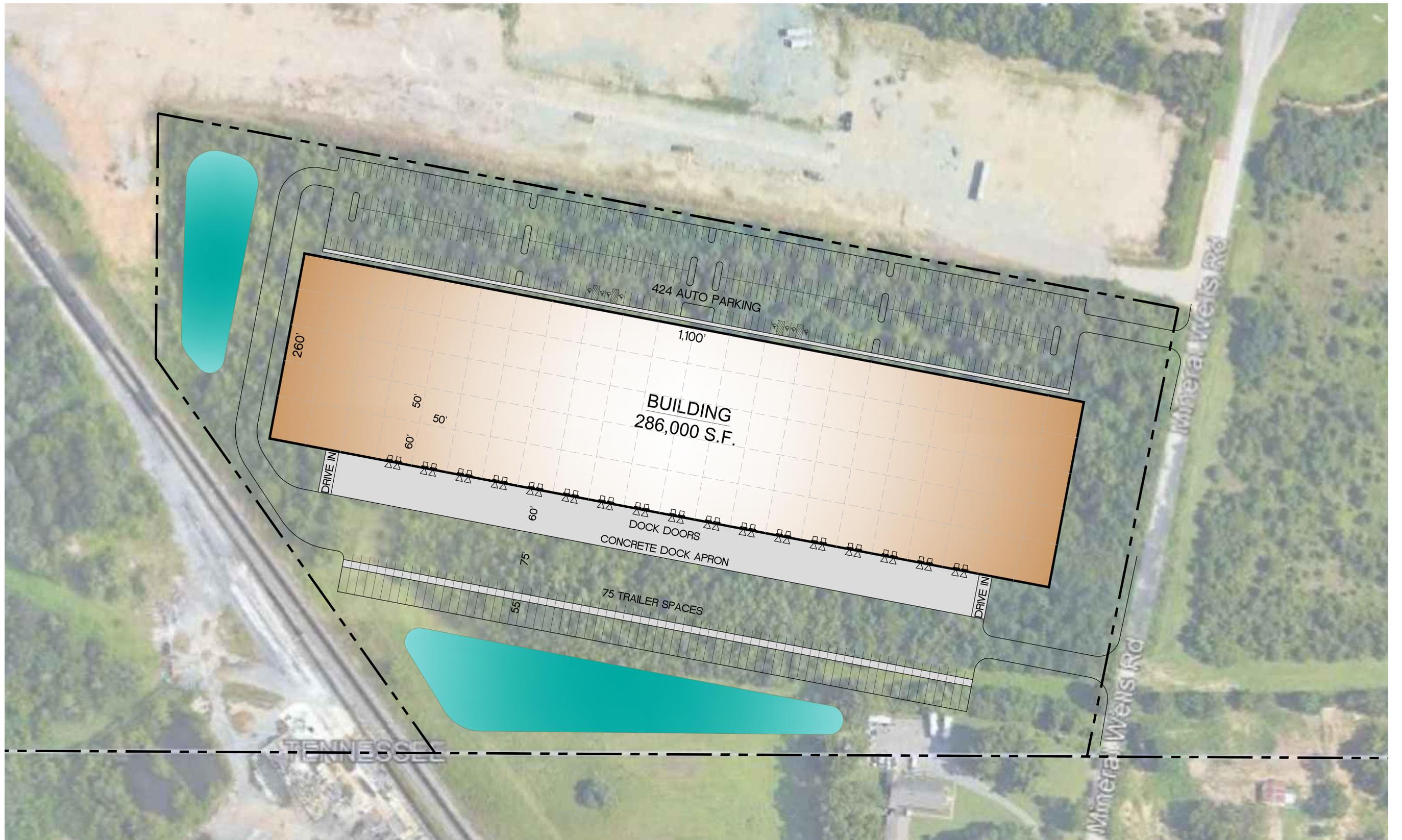
Area reserved for recording stamps.

PLOT PLAN		
KNAUF INSULATION, LLC PROPERTY		
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1	AREA: 19.48 AC	WARD: 94 BLOCK: 200 PARCEL: 167
DEVELOPER: SCANNELL PROPERTIES #402 LLC 8801 RIVER CROSSING BLVD SUITE 300 INDIANAPOLIS, IN 46240	ENGINEER: PICKERING FIRM, INC. 6363 POPLAR AVENUE SUITE 300 MEMPHIS, TN 38119	
THE 100 YR FLOOD PLAIN ELEV = 343	FEMA MAP PANEL NO. 47157C0580F	FEMA MAP DATE: SEP 28, 2007
DATE: JAN, 2022	SCALE: 1" = 100'	SHEET 1 OF 1

Legal Description of Property Described In Land Description Per Charter Instrument No. 20015563 in the name of Knauf Insulation, LLC Recorded in the Register's Office of Shelby County, TN.

Description of 19.54 acre tract of land located in part of the northwest quarter and northeast quarter of the southwest quarter of Section 17, Township 1 South, Range 5 West, Shelby County, Tennessee, and being more particularly described as follows: Commencing at the northeast corner of the southwest quarter of Section 17, Township 1 South, Range 6 West, Shelby County, Tennessee; thence westerly for a distance of 1024.88 feet to a point; thence southwestwardly for a distance of 1521.81 feet to a railroad spike found in Mineral Wells Road; said point being the true point of beginning of said tract of land; thence north 84 degrees 22 minutes 16 seconds west along a common boundary line of the Shroyer tract for a distance of 1452.97 feet to an axle found; thence south 04 degrees 35 minutes 31 seconds east for a distance of 343.75 feet to a common corner of the Shroyer tract (3/4" pipe found 1/65 feet north) of point; thence south 41 degrees 30 minutes 59 seconds east along the Frisco Railroad north right-of-way (ROW) for a distance of 583.02 feet to a 1/2" rebar set; thence north 84 degrees 04 minutes 03 seconds east along the Mississippi and Tennessee state boundary line for a distance of 613.77 feet to a 1" pipe found; thence continue along said boundary line north 84 degrees 24 minutes 37 seconds east for a distance of 358.40 feet to a railroad spike found in Mineral Wells Road; said point being the northeast corner of Mineral Wells Baptist Church tract; thence north 06 degrees 52 minutes 00 seconds east for a distance of 542.22 feet to the point of beginning, SUBJECT TO ROAD RIGHT-OF-WAY.

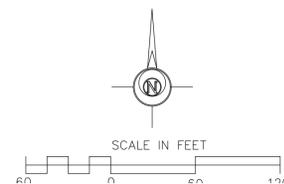
Note: This description is not based upon a recent land survey.

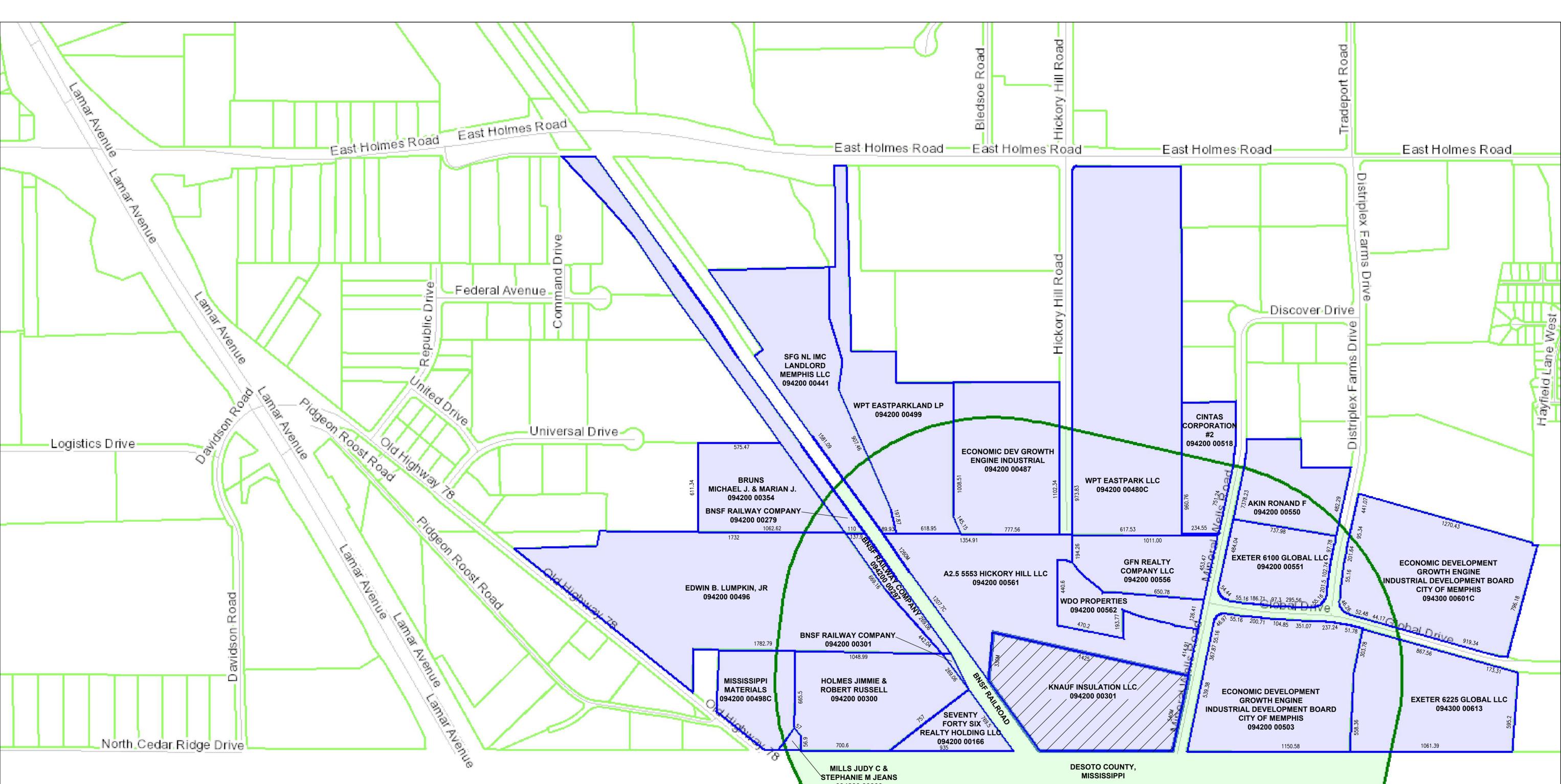


PROPOSED:
PROJECT SITE
DECEMBER 22, 2021

Office / Warehouse

OLIVE BRANCH, MS





- Legend**
- polygonLayer**
 - Override 1
 - Override 2
 - polylineLayer**
 - Override 1
 - Roads
 - Parcels



Map prepared through Shelby County Government's online mapping Portal on 1/3/2022






Legend

polygonLayer

- Override 1
- Override 2

polylineLayer

- Override 1

— Roads

□ Parcels


 Map prepared through Shelby County Government's online mapping Portal on 1/3/2022

0 0.1 0.2 0.3 0.4 mi

N

Shelby County Government

For Current Resident
MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
LAMAR AVE #
Memphis, TN 38118

For Current Resident
6200 GLOBAL DR #
Memphis, TN 38141

For Current Resident
LAMAR AVE #
Memphis, TN 38118

For Current Resident
5577 MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
6099 GLOBAL DR #
Memphis, TN 38141

For Current Resident
HIGHWAY 78 #
Memphis, TN 38118

For Current Resident
E HOLMES RD #
Memphis, TN 38141

For Current Resident
6225 GLOBAL DR #
Memphis, TN 38141

For Current Resident
5425 MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
5405 HICKORY HILL RD #
Memphis, TN 38141

For Current Resident
HOLMES RD #
Memphis, TN 38118

For Current Resident
UNIVERSAL DR #
Memphis, TN 38118

For Current Resident

Memphis, TN 38118

For Current Resident
HOLMES RD #
Memphis, TN 38141

For Current Resident
MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
6100 GLOBAL DR #
Memphis, TN 38141

For Current Resident
5760 LAMAR AVE #
Memphis, TN 38118

For Current Resident
DISTRIPLEX FARMS #
Memphis, TN 38141

For Current Resident

Memphis, TN 38118

For Current Resident
5561 MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
OLD LAMAR AVE #
Memphis, TN 38118

For Current Resident
5300 HICKORY HILL RD #
Memphis, TN 38141



Tom Leatherwood
Shelby County Register / Archives

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

	
14049681	
05/13/2014 - 11:02 AM	
3 PGS	
DONALD 1212489-14049681	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	17.00
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

This Instrument Prepared By:
Dykema Gossett PLLC
39577 Woodard Ave., Suite 300
Bloomfield Hills, MI 48304
Adam M. Fishkind, Esq.

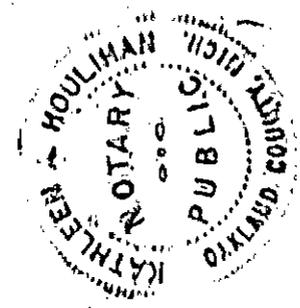
The actual consideration for this transfer
is Zero Dollars (\$0.00).

Doug Miller
Affiant

Subscribed and sworn to before me
this 9th day of May, 2014

Kathleen A. Houlihan
Notary Public Kathleen A. Houlihan
Oakland County
Acting in Oakland County
My Commission Expires: 6-12-2017

KATHLEEN A. HOULIHAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Jun 12, 2017
ACTING IN COUNTY OF OAKLAND



QUITCLAIM DEED

ADDRESS NEW OWNER:
Guardian Fiberglass, Inc.
979 Batesville Road
Greer, SC 29651

SEND TAX BILLS TO:
Guardian Fiberglass, Inc.
979 Batesville Road
Greer, SC 29651
Attn: Tax Department

Property Address:
5633 Mineral Wells Road

Tax Parcel No. D2-54-167

RECITALS:

FOR AND IN CONSIDERATION of the sum of Ten and 00/100ths Dollars (\$10.00) cash in hand paid, **GUARDIAN BUILDING PRODUCTS DISTRIBUTION, INC.**, a Georgia corporation ("GRANTOR"), does hereby quitclaim and convey unto **GUARDIAN FIBERGLASS, INC.**, a Delaware corporation (hereinafter, the "GRANTEE"), all of its right, title and interest in and to a certain tract or parcel of land in Shelby County, Tennessee, described as follows:

SEE ATTACHED EXHIBIT A, WHICH IS INCORPORATED HEREIN BY THIS REFERENCE.

Said property is conveyed subject to such limitations, restrictions and encumbrances of record as may affect the premises.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the GRANTOR has hereunder set its hand this 9th day of May, 2014.

GRANTOR:

**GUARDIAN BUILDING PRODUCTS
DISTRIBUTION, INC.**, a Georgia
corporation

By: *Doug Girdler*
Name: Doug Girdler
Its: Treasurer

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Doug Girdler, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the Treasurer of Guardian Building Products Distribution, Inc., a Georgia corporation, and that he/she executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as Treasurer.

WITNESS MY HAND AND SEAL, at office in Oakland County, Michigan this 9th day of May, 2014.

Kathleen A. Houlihan
Notary Public, Kathleen A. Houlihan
Oakland County
Acting in Oakland County
My Commission Expires: 6-12-2017

KATHLEEN A. HOULIHAN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Jun 12, 2017
ACTING IN COUNTY OF OAKLAND



EXHIBIT A
Real Property Description

Legal Description of 19.54 acre tract of land located in part of the northwest quarter and northeast quarter of the southwest quarter of Section 17, Township 1 South, Range 5 West, Shelby County, Tennessee, and being more particularly described as follows: Commencing at the northeast corner of the southwest quarter of Section 17, Township 1 South, Range 6 West, Shelby County, Tennessee; thence westerly for a distance of 1024.88 feet to a point; thence southwestwardly for a distance of 1521.81 feet to a railroad spike found in Mineral Wells Road; said point being the true point of beginning of said tract of land; thence north 84 degrees 22 minutes 16 seconds west along a common boundary line of the Shroyer tract for a distance of 1452.97 feet to an axle found; thence south 04 degrees 35 minutes 31 seconds east for a distance of 343.75 feet to a common corner of the Shroyer tract (3/4" pipe found 1/65 feet north) of point; thence south 41 degrees 30 minutes 59 seconds east along the Frisco Railroad north right-of-way (ROW) for a distance of 583.02 feet to a 1/2" rebar set; thence north 84 degrees 04 minutes 03 seconds east along the Mississippi and Tennessee state boundary line for a distance of 613.77 feet to a 1" pipe found; thence continue along said boundary line north 84 degrees 24 minutes 37 seconds east for a distance of 358.40 feet to a railroad spike found in Mineral Wells Road; said point being the northeast corner of Mineral Wells Baptist Church tract; thence north 06 degrees 52 minutes 00 seconds east for a distance of 542.22 feet to the point of beginning.

Being all or part of the same property conveyed to the grantor herein by quitclaim deed recorded as Instrument #13046665, in Shelby County Register's Office.



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



20015563

02/12/2020 - 09:43:40 AM

12 PGS	
KRISTIN 1980807 - 20015563	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	60.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	62.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

Prepared by, and after recording return to, Scott C. Frissell, Esq., Krieg DeVault LLP, 12800 North Meridian Street, Suite 300, Carmel, IN 46032-5407.

Knauf Insulation, Inc.: One Knauf Drive, Shelbyville, Indiana 46176; 317-398-4434

Indexing instructions: northwest quarter and northeast quarter of the southwest quarter of Section 17, Township 1 South, Range 5 West, Shelby County, Tennessee

**AFFIDAVIT REGARDING CHANGE OF ENTITY NAME AND
CONVERSION OF GUARDIAN FIBERGLASS, INC.**

THIS AFFIDAVIT REGARDING CHANGE OF ENTITY NAME AND CONVERSION OF GUARDIAN FIBERGLASS, INC. (this "Affidavit") dated as of February 7, 2020 ("Effective Date"), is made by Knauf Insulation, Inc., a Delaware corporation.

1. The undersigned is the duly authorized Secretary of Knauf Insulation, Inc. and is familiar with the matters described in this Affidavit.

2. Guardian Fiberglass Inc., a Delaware corporation, is the record owner of certain real estate located in Shelby County, State of Tennessee, as more particularly described on **Exhibit A** attached hereto and made a part hereof.

3. Effective as of the close of business on August 7, 2014, Guardian Fiberglass, Inc. converted from a Delaware corporation to a Delaware limited liability company and changed its name to Guardian Fiberglass, LLC, as shown on the Certificate of Conversion From a Corporation to a Limited Liability Company filed August 7, 2014, in the Office of the Delaware Secretary of State, a copy of which is attached hereto as **Exhibit B** and made a part hereof.

4. Effective as of the close of business on August 8, 2014, Guardian Fiberglass, LLC changed its name to Knauf Insulation, LLC, as shown on the Certificate of Amendment of Certificate of Formation of Guardian Fiberglass, LLC filed August 8, 2014, in the Office of the Delaware Secretary of State, a copy of which is attached hereto as **Exhibit C** and made a part hereof.

5. Effective as of July 1, 2015, Knauf Insulation, LLC converted from a Delaware limited liability company to a Delaware corporation and changed its name to Knauf Insulation, Inc., as shown on the Certificate of Conversion from a Limited Liability Company to a Corporation filed June 13, 2015, in the Office of the Delaware Secretary of State, a copy of which is attached hereto as **Exhibit D** and made a part hereof.

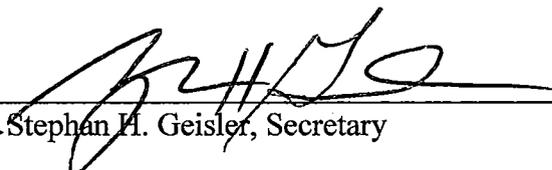
6. As a result of the above-described entity conversion and name changes, title to all real property owned by Guardian Fiberglass, Inc., a Delaware corporation, including the real property and improvements located in Shelby County, State of Tennessee, as more particularly described on **Exhibit A**, is now vested in **Knauf Insulation, Inc.**

7. This Affidavit is thus provided to maintain the accuracy of the name change of Guardian Fiberglass, Inc. as the fee simple owner of the real estate, and to induce any title company or other keeper of real estate or tax records to correct the name of the company by changing such records from Guardian Fiberglass, Inc. to Knauf Insulation, Inc.

[REMAINDER OF PAGE INTENTIONALLY BLANK; SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Knauf Insulation, Inc. has executed this Affidavit to be effective as of the Effective Date.

KNAUF INSULATION, INC.,
a Delaware corporation

By: 
Stephan H. Geisler, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of February, 2020, within my jurisdiction, the within named Stephan H. Geisler, who acknowledged to me that he is the Secretary of Knauf Insulation, Inc., a Delaware corporation, and that for and on behalf of said corporation, and as its act and deed, he executed the above and foregoing instrument, after first having been duly authorized by said corporation to do so.

My Commission Expires:
7-14-27


Notary Public

County of Residence:
Johnson

Rhonda L. Kelley
Name Printed

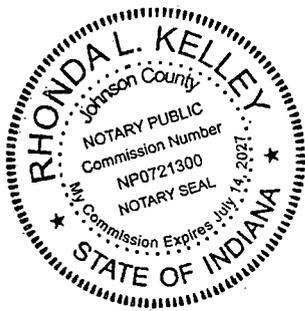


EXHIBIT A

REAL PROPERTY DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF TENNESSEE, AND IS DESCRIBED AS FOLLOWS:

Legal Description of 19.48 acre tract of land located in part of the northwest quarter and northeast quarter of the southwest quarter of Section 17, Township 1 South, Range 5 West, Shelby County, Tennessee, and being more particularly described as follows: Commencing at the northeast corner of the southwest quarter of Section 17, Township 1 South, Range 6 West, Shelby County, Tennessee; thence westerly for a distance of 1024.88 feet to a point; thence southwestwardly for a distance of 1521.81 feet to a railroad spike found in Mineral Wells Road; said point being the true point of beginning of said tract of land; thence north 84 degrees 22 minutes 16 seconds west along a common boundary line of the Shroyer tract for a distance of 1452.97 feet to an axle found; thence south 04 degrees 35 minutes 31 seconds east for a distance of 343.75 feet to a common corner of the Shroyer tract (3/4" pipe found 1/65 feet north) of point; thence south 41 degrees 30 minutes 59 seconds east along the Frisco Railroad north right-or-way (ROW) for a distance of 583.02 feet to a 1/2" rebar set; thence north 84 degrees 04 minutes 03 seconds east along the Mississippi and Tennessee state boundary line for a distance of 613.77 feet to a 1" pipe found; thence continue along said boundary line north 84 degrees 24 minutes 37 seconds east for a distance of 358.40 feet to a railroad spike found in Mineral Wells Road; said point being the northeast corner of Mineral Wells Baptist Church tract; thence north 06 degrees 52 minutes 00 seconds east for a distance of 542.22 feet to the point of beginning.

Being all or part of the same property conveyed by quitclaim deed recorded as Instrument #14049681, in Shelby County Register's Office.

EXHIBIT B

**CERTIFICATE OF CONVERSION FROM A CORPORATION
TO A LIMITED LIABILITY COMPANY**

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE CORPORATION UNDER THE NAME OF "GUARDIAN FIBERGLASS, INC." TO A DELAWARE LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM "GUARDIAN FIBERGLASS, INC." TO "GUARDIAN FIBERGLASS, LLC", FILED IN THIS OFFICE ON THE SEVENTH DAY OF AUGUST, A.D. 2014, AT 12:19 O'CLOCK P.M.

2037542 8100V

141046138

You may verify this certificate online
at corp.delaware.gov/authver.shtml



Jeffrey W. Bullock
Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1604056

DATE: 08-07-14

Exhibit B

State of Delaware
Secretary of State
Division of Corporations
Delivered 12:18 PM 08/07/2014
FILED 12:19 PM 08/07/2014
SRV 141046138 - 2037542 FILE

STATE OF DELAWARE
CERTIFICATE OF CONVERSION
FROM A CORPORATION TO A
LIMITED LIABILITY COMPANY PURSUANT TO
SECTION 18-214 OF THE LIMITED LIABILITY ACT

- 1.) The jurisdiction where the Corporation first formed is Delaware.
- 2.) The jurisdiction immediately prior to filing this Certificate is Delaware.
- 3.) The date the corporation first formed is 06/13/1984.
- 4.) The name of the Corporation immediately prior to filing this Certificate is Guardian Fiberglass, Inc.
- 5.) The name of the Limited Liability Company as set forth in the Certificate of Formation is Guardian Fiberglass, LLC

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the
7 day of August, A.D. 2014.

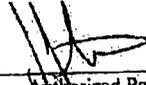
By: 
Authorized Person
Name: Jeff Chastain
Print or Type

EXHIBIT C

CERTIFICATE OF AMENDMENT

Delaware

PAGE 1

The First State

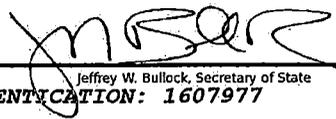
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "GUARDIAN FIBERGLASS, LLC", CHANGING ITS NAME FROM "GUARDIAN FIBERGLASS, LLC" TO "KNAUF INSULATION, LLC", FILED IN THIS OFFICE ON THE EIGHTH DAY OF AUGUST, A.D. 2014, AT 3:24 O'CLOCK P.M.



2037542 8100

141052661

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1607977

DATE: 08-11-14

Exhibit C

State of Delaware
Secretary of State
Division of Corporations
Delivered 03:46 PM 08/08/2014
FILED 03:24 PM 08/08/2014
SRV 141052661 - 2037542 FILE

**CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF FORMATION
OF
GUARDIAN FIBERGLASS, LLC**

*Pursuant to Section 18-202 of the
Limited Liability Company Act of the State of Delaware*

This Certificate of Amendment of Certificate of Formation of **GUARDIAN FIBERGLASS, LLC** is being duly executed and filed by an authorized person to amend the Certificate of Formation as permitted under the Delaware Limited Liability Company Act (6 Del. C. §18-101, et seq.):

1. The name of the limited liability company is Guardian Fiberglass, LLC.
2. Article FIRST of the Certificate of Formation of the limited liability company is hereby amended as follows:

"FIRST: The name of the limited liability company is Knauf Insulation, LLC (the "Company")."

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Amendment on
August 8, 2014.

By: 
Name: Mark Andrews
Title: Authorized Person

3361855-v1\

EXHIBIT D

**CERTIFICATE OF CONVERSION FROM A LIMITED
LIABILITY COMPANY TO A CORPORATION**

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE LIMITED LIABILITY COMPANY UNDER THE NAME OF "KNAUF INSULATION, LLC" TO A DELAWARE CORPORATION, CHANGING ITS NAME FROM "KNAUF INSULATION, LLC" TO "KNAUF INSULATION, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JUNE, A.D. 2015, AT 11:25 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF CONVERSION IS THE FIRST DAY OF JULY, A.D. 2015, AT 12 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



2037542 8100V

150991183

You may verify this certificate online at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 2515533

DATE: 06-30-15

State of Delaware
Secretary of State
Division of Corporations
Delivered 11:34 AM 06/30/2015
FILED 11:25 AM 06/30/2015
SRV 150991183 - 2037542 FILE

**CERTIFICATE OF CONVERSION
FROM A LIMITED LIABILITY COMPANY TO A CORPORATION
OF
KNAUF INSULATION, LLC**

Pursuant to Section 265 of the
Delaware General Corporation Law (the "DGCL")

KNAUF INSULATION, LLC, a limited liability company organized and existing under and by virtue of the Limited Liability Company Act of the State of Delaware (the "Company"), does hereby certify that:

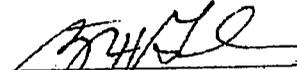
1. The jurisdiction where the Company was first formed is Delaware.
2. The jurisdiction of the Company immediately prior to filing this Certificate of Conversion is Delaware.
3. The date the Company was first formed is June 13, 1984.
4. The name of the Company immediately prior to filing this Certificate of Conversion is Knauf Insulation, LLC.
5. The name of the corporation as set forth in the Certificate of Incorporation filed in accordance with Section 265(b)(2) of the DGCL is Knauf Insulation, Inc.
6. The filing of this Certificate of Conversion, and thus the conversion of the Company into a corporation, shall be effective on July 1, 2015 at 12:00 a.m., Eastern Daylight Time.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Conversion
From a Limited Liability Company to a Corporation of Knauf Insulation, LLC as of June 30,
2015.

KNAUF INSULATION, LLC

By:


Stephan H. Geisler
Authorized Officer

Delaware

PAGE 2

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF CERTIFICATE OF INCORPORATION OF "KNAUF INSULATION, INC." FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JUNE, A.D. 2015, AT 11:25 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF INCORPORATION IS THE FIRST DAY OF JULY, A.D. 2015, AT 12 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

2037542 8100V

150991183

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 2515533

DATE: 06-30-15

For Current Resident
MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
LAMAR AVE #
Memphis, TN 38118

For Current Resident
6200 GLOBAL DR #
Memphis, TN 38141

For Current Resident
LAMAR AVE #
Memphis, TN 38118

For Current Resident
5577 MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
6099 GLOBAL DR #
Memphis, TN 38141

For Current Resident
HIGHWAY 78 #
Memphis, TN 38118

For Current Resident
E HOLMES RD #
Memphis, TN 38141

For Current Resident
6225 GLOBAL DR #
Memphis, TN 38141

For Current Resident
5425 MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
5405 HICKORY HILL RD #
Memphis, TN 38141

For Current Resident
HOLMES RD #
Memphis, TN 38118

For Current Resident
UNIVERSAL DR #
Memphis, TN 38118

For Current Resident

Memphis, TN 38118

For Current Resident
HOLMES RD #
Memphis, TN 38141

For Current Resident
MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
6100 GLOBAL DR #
Memphis, TN 38141

For Current Resident
5760 LAMAR AVE #
Memphis, TN 38118

For Current Resident
DISTRIPLEX FARMS #
Memphis, TN 38141

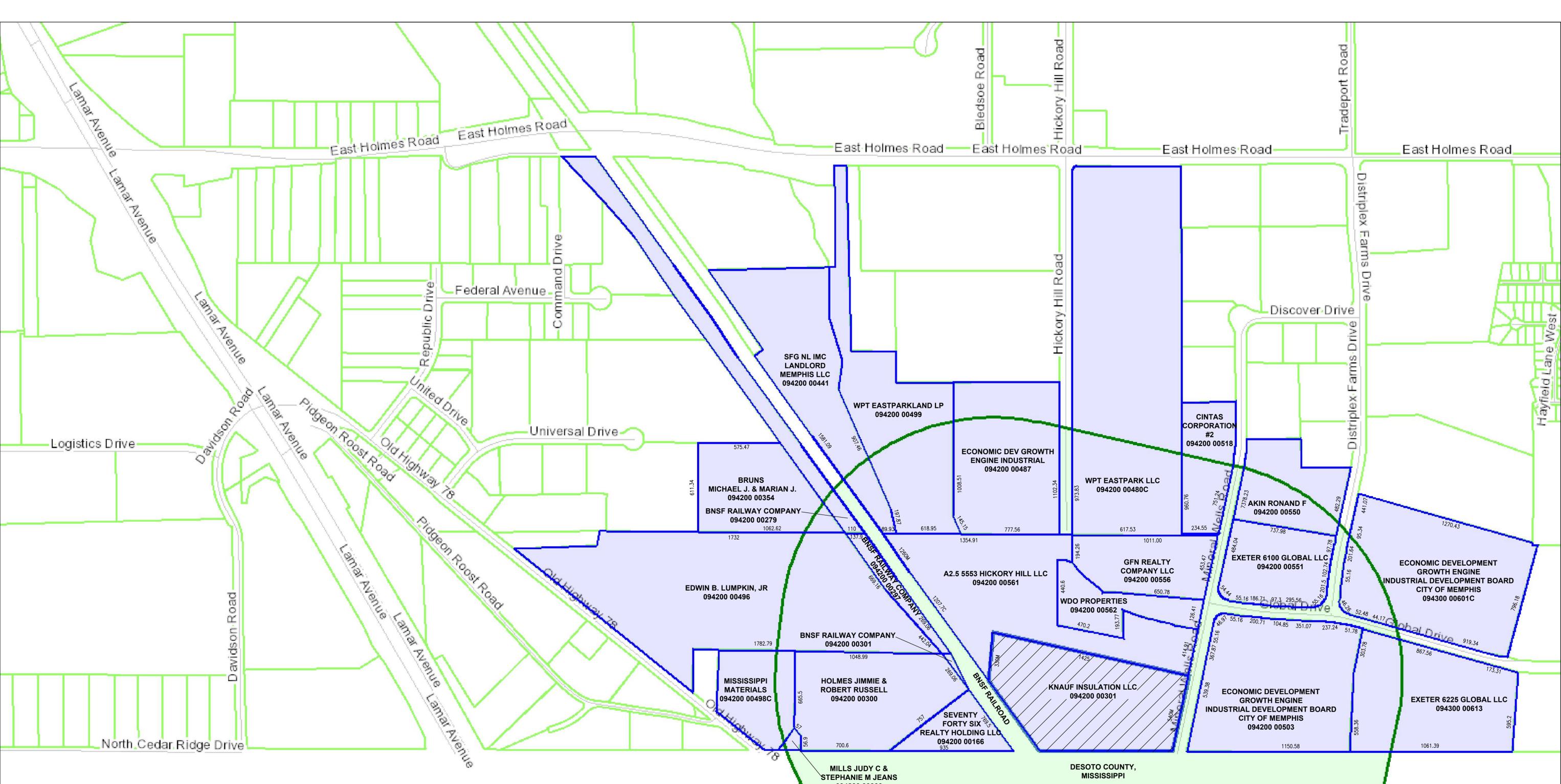
For Current Resident

Memphis, TN 38118

For Current Resident
5561 MINERAL WELLS RD #
Memphis, TN 38141

For Current Resident
OLD LAMAR AVE #
Memphis, TN 38118

For Current Resident
5300 HICKORY HILL RD #
Memphis, TN 38141



- Legend**
- polygonLayer**
 - Override 1
 - Override 2
 - polylineLayer**
 - Override 1
 - Roads
 - Parcels



Map prepared through Shelby County Government's online mapping Portal on 1/3/2022




**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, _____ at 3:30 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

- CASE NUMBER:** Z 22-01
- LOCATION:** 0 Mineral Wells Road 500 feet south of the intersection of Mineral Wells Road and Global Drive
- COUNCIL DISTRICTS:** District 3 and Super District 8 – Positions 1, 2, and 3
- OWNER/APPLICANT:** Knauf Insulation, Inc./Scannell Properties
- REPRESENTATIVE:** Dedrick Brittenum – Brittenum Law, PLLC
- EXISTING ZONING:** Conservation Agriculture (CA)
- REQUEST:** Employment (EMP) District
- AREA:** +/-45.36 acres

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: *Approval*

Memphis and Shelby County Land Use Control Board: *Approval*

NOW, THEREFORE, you will take notice that on Tuesday, _____, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance’s or protests against the making of such changes; such remonstrance’s or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

This case will also be heard at the Planning and Zoning Committee on the same day with the specific time to be determined prior to the meeting date and posted on the City of Memphis’ website.

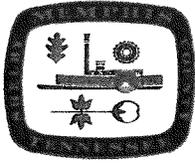
THIS THE _____, _____

JAMITA SWEARENGEN
CHAIRMAN OF COUNCIL

ATTEST:

DYWUANA MORRIS
CITY COMPTROLLER

TO BE PUBLISHED:



RESOLUTION approving the final plat for:
stayAPT Suites

WHEREAS, **LG APT TN Memphis-Cordova, LLC dba stayAPT Suites**, the Developer of a certain property located in the present limits of the City of Memphis, 400 linear feet southwest of the Dexter Road and Chickering Lane intersection in Memphis, Tennessee, as reflected on the plat entitled **stayAPT Suites** and

WHEREAS, the developer desires to develop the property reflected on the plat;

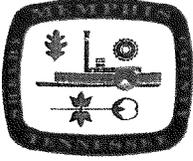
and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **LG APT TN Memphis-Cordova, LLC dba stayAPT Suites** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **stayAPT Suites** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept the **Liberty Mutual Insurance Company Performance Bond No.674216251** in the amount of **\$75,900.00** in lieu of bond.



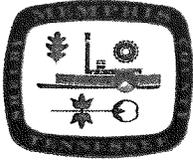
RESOLUTION accepting public improvements for:
Stone Creek Phase 2 (PD-06-345cc) [CR-5344]
and **authorizing release of bond.**

WHEREAS, **Afton Homes, LLC.**, the Developer, has completed public improvements within the present limits of Shelby County, as indicated on the plat entitled **Stone Creek Phase 2 (PD-06-345cc) [CR-5344]**, located in the present limits of the city of Memphis, approximately 850 linear feet of the Grand Pines Drive / Holmes Road intersection in Shelby County, Tennessee and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the final plat for **Stone Creek Phase 2 (PD-06-345cc) [CR-5344]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the Evolve Bank and Trust Letter of Credit No. 550731 in the amount **\$200,200.00** held as security for the contract, is **hereby ordered released.**



RESOLUTION accepting public improvements for:
Stone Creek Phase 2 (PD-06-345cc) [CR-5070] and
authorizing release of bond.

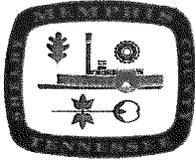
WHEREAS, **HBT Investments, LLC.**, the Developer, has completed public improvements within the present limits of the Shelby County, as indicated on the plat entitled **Stone Creek Phase 2 (PD-06-345cc) [CR-5070]**, located east of Hacks Cross Road, south of Shelby Drive, in Shelby County, Tennessee

and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the final plat for **Stone Creek Phase 2 (PD-06-345cc) [CR-5370]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the Renasant Bank Letter of Credit No. 2926 in the amount \$27,000.00 held as security for the contract, **is hereby ordered released.**



RESOLUTION accepting public improvements for:
Polo Grounds North PD Area F Phase 7 [CR-5276]
and **authorizing release of bond.**

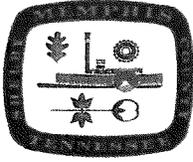
WHEREAS, **CarMax Auto Superstore, Inc.**, the Developer, has completed public improvements within the present limits of the City of Memphis, located at the intersection of South Germantown Road and Winchester Road, in Memphis, Tennessee as indicated on the plat entitled **Polo Grounds North PD Area F Phase 7 [CR-5276]**,

and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the final plat for **Polo Grounds North PD Area F Phase 7 [CR-5276]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the Liberty Mutual Insurance Performance Bond No. 019065716 in the amount **\$96,500.00** held as security for the contract, **is hereby ordered released.**



RESOLUTION accepting public improvements for:
TPA Group Warehouse - Holmes & Airways Project [CR-5342]
and authorizing release of bond.

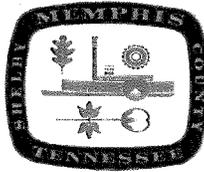
WHEREAS, **Holmes & Airways Partners, LLC.**, the Developer, has completed public improvements within the present limits of the City of Memphis as shown on the engineering plans entitled **TPA Group Warehouse - Holmes & Airways Project [CR-5342]**, located on the southeast corner lot of the the Holmes Road and Airways Boulevard intersection in Memphis, Tennessee

and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **TPA Group Warehouse - Holmes & Airways Project [CR-5342]** and the completion of the public improvements therein, be and the same are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the XL Specialty Insurance Company Performance Bond No. US00100628SU20A in the amount \$230,000.00 held as security for the Standard Improvement Contract is hereby ordered released.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to accept grant funds in amount of \$12,750.00 for swim lessons at aquatic centers.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Memphis Parks

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A.

4. State whether this will impact specific council districts or super districts.

All districts, both super districts.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

Requires a grant agreement with USA Swimming Foundation.

6. State whether this requires an expenditure of funds/requires a budget amendment

Grant funds to be accepted; requires expenditure of grant funds and amendment of operating budget.

7. If applicable, please list the MWBE goal and any additional information needed

N/A.



Resolution accepting grant funds of twelve thousand seven hundred fifty dollars (\$12,750.00) from USA Swimming Foundation for swim lessons [All Districts].

WHEREAS, USA Swimming Foundation is a national nonprofit foundation with a mission of supporting water safety; and

WHEREAS, the City of Memphis, through Memphis Parks, has conducted swim lessons for youth for decades; and

WHEREAS, funding from USA Swimming Foundation will support an increase in swim lessons provided in 2022; and

WHEREAS, the Parks Division is a recipient of a 2022 USA Swimming Foundation award in the amount of twelve thousand seven hundred fifty dollars (\$12,750.00); and

WHEREAS, it is necessary to accept these funds and amend the Fiscal Year 2022 operating budget grant account PK90109, and allow for expenditures of the same; and

WHEREAS, it is necessary to appropriate these funds in the amount of twelve thousand seven hundred fifty dollars (\$12,750.00) for part time salaries to provide swim lessons at aquatic centers.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2022 operating budget be hereby amended by accepting the grant of twelve thousand seven hundred and fifty dollars (\$12,750.00) for supplies into PK90109, and

BE IT FURTHER RESOLVED that funding of twelve thousand seven hundred fifty dollars (\$12,750.00) be allocated and appropriated to PK90109.



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

Resolution to accept in-kind donation valued at \$100,000 for soccer mini pitch at Cunningham Community Center.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Parks

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A

4. State whether this will impact specific council districts or super districts.

District 1, Super district 9

5. State whether this requires a new contract, or amends an existing contract, if applicable.

Requires contract with US Soccer Foundation.

6. State whether this requires an expenditure of funds/requires a budget amendment

Does not require expenditure or budget amendment.

7. If applicable, please list the MWBE goal and any additional information needed

N/A



Resolution to approve and accept in-kind donation in the value of ^{one cent} three hundred thousand dollars (\$100,000.00) from the U.S. Soccer Foundation and Dicks Sporting Goods for installation of soccer mini-pitch at Cunningham Community Center (District 1, Super District 9.)

WHEREAS, the City of Memphis, through Memphis Parks, owns and operates Cunningham Community Center; and

WHEREAS, the U.S. Soccer Foundation is a 501c3 Foundation with a mission of supporting sports-based youth development in underserved communities; and

WHEREAS, Memphis Parks has been selected as an awardee of in-kind donation of soccer mini-pitch facilitated by the U.S. Soccer Foundation and sponsored by Dicks Sporting Goods in the value of one hundred thousand dollars (\$100,000.00); and

WHEREAS, soccer mini-pitches will serve the Memphis community by offering a structured and safe place to participate in soccer programming and free play; and

WHEREAS, it is necessary to accept this in-kind donation and appropriate these in-kind funds in the amount of one hundred thousand dollars (\$100,000.00) for the installation of a soccer mini-pitch at Cunningham Community Center.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that this in-kind donation be accepted and the mini-pitch project facilitated by Memphis Parks.

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution awarding a purchase order to Engineered Sealing Components for electric smart meters in the amount of \$308,000.00.

2. Additional Information

The electric smart meters are designed to measure electricity used in units of kilowatt hours. The kilowatt hours used are visible at the meter and communicated to MLGW's mesh network by the communication board in the meter.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 16, 2022, approved the purchase for electric smart meters and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2022 fiscal year budget; and

WHEREAS, the electric smart meters are designed to measure electricity used in units of kilowatt hours. The kilowatt hours used are visible at the meter and communicated to our mesh network by the communication board in the meter; and

WHEREAS, bids were opened on January 5, 2022. Notice to Bidders was advertised. Twenty-three (23) bids were solicited and four (4) bids were received with the lowest and best complying bidder being the firm of Engineered Sealing Components. This award complies with all applicable laws and policies; and

Now THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved a purchase order for electric smart meters from Engineered Sealing Components for the sum of \$308,000.00 chargeable to the MLGW 2022 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Engineered Sealing Components for electric smart meters in the amount of \$308,000.00.

The electric smart meters are designed to measure electricity used in units of kilowatt hours. The kilowatt hours used are visible at the meter and communicated to our mesh network by the communication board in the meter.

Bids were opened on January 5, 2022. Notice to Bidders was advertised. Twenty-three (23) bids were solicited and four (4) bids were received with the lowest and best complying bidder being the firm of Engineered Sealing Components. This award complies with all applicable laws and policies.

The budgeted amount for Customer Metering–Electric Smart Meters is \$2,366,000.00; of which \$308,000.00 will be spent on this purchase order in 2022; leaving a balance of \$2,060,390.00 after award; and

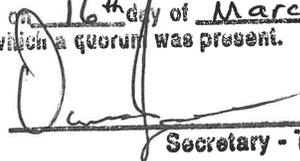
NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a purchase order to Engineered Sealing Components is approved for furnishing:

2,200 – Electric smart meters, Honeywell designation No. ZHCW4A00004, 1HP 240V 3W CL200 W/AMR3W1PAMR1 form 2S, 240V single phase, 2wire class 200 solid state demand meter, no test links; all in accordance with MLGW Specification dated September 30, 2021.

Totaling \$308,000.00; f.o.b. Memphis, Tennessee, transportation prepaid;
our dock; said prices being firm; delivery 8-10 weeks; terms net 30 days.

I hereby certify that the foregoing is a true
copy of a resolution adopted by the Board of Light,
Gas and Water Commissioners at a regular - special
meeting held on 16th day of March,
20 22, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving the agreement of the on-going commitment to local economic and community development and research with the Greater Memphis Chamber, in the funded amount of \$175,000. (This agreement will be for services to be rendered by the Greater Memphis Chamber for the period January 1, 2022 through December 31, 2022.)

2. Additional Information

The Greater Memphis Chamber will execute various programs to stimulate new jobs, new capital investment, and retention of existing jobs, working in collaboration with MLGW.

RESOLUTION

WHEREAS, this agreement is for services to be rendered by the Greater Memphis Chamber for the period January 1, 2022 through December 31, 2022.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved agreement of the ongoing commitment to local economic and community development in the amount of \$175,000 to the Greater Memphis Chamber provided that no part of this funding shall be used to lobby public officials or to oppose or promote ballot initiatives.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

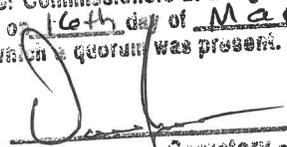
The Manager of Economic and Community Development submitted for consideration of the Board, approval of agreement of MLGW's on-going commitment to the Greater Memphis Chamber to facilitate economic and community development in Memphis and Shelby County; and it is in the best interest of MLGW's customers as a whole to continue these tasks, and to provide funds for services for economic development, community development and research.

The Manager of Economic and Community Development recommends approval of services to be rendered by the Greater Memphis Chamber for the period January 1, 2022 through December 31, 2022.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the President and CEO is hereby authorized to execute the Agreement of \$175,000, with the Greater Memphis Chamber of the ongoing commitment to local economic and community development activities, provided that no part of this funding shall be used for lobbying public officials or to oppose or promote ballot initiatives.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 16th day of March, 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving a contract between MLGW and TVA to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area and payment to the Greater Memphis Chamber. The total funded amount of the contract is \$80,608.00 of which TVA reimburses MLGW \$40,304.00.

2. Additional Information

This contract allows MLGW to leverage its money with matching TVA funds to reinforce local economic development efforts by attracting new companies and supporting existing business growth. These funds will be used by the Greater Memphis Chamber, in partnership with MLGW and TVA, to achieve ongoing economic success and prosperity through business and industry recruitment, make local companies more globally competitive, drive the advancement of the Memphis technology community, and help create an environment that promotes the retention/expansion of local business.

RESOLUTION

WHEREAS, the Board of Memphis Light, Gas and Water Commissioners in their meeting of March 16, 2022, approved for MLGW to pay the Greater Memphis Chamber \$80,608 and TVA will reimburse MLGW \$40,304 to allow MLGW to leverage its money with TVA funds to reinforce local economic development efforts by attracting new companies and investment and supporting existing business growth. The effort is outlined in a Scope of Services submitted by the Greater Memphis Chamber; and further

WHEREAS, it is recommended that these funds be paid to support the Greater Memphis Chamber, in partnership with MLGW and TVA, to achieve ongoing economic success and prosperity through business and industry recruitment, make local companies more globally competitive, drive the advancement of the Memphis technology community, and help create an environment that promotes the retention/expansion of local business.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that the Secretary - Treasurer is hereby authorized and directed to have a check issued in the amount of \$80,608, payable to the Greater Memphis Chamber, provided that no part of this funding shall be used to lobby public officials or to oppose or promote ballot initiatives, with the agreement that TVA will reimburse MLGW \$40,304.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Economic and Community Development submitted for consideration of the Board, approval of contract 15952 between MLGW and TVA to support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area. The contract provides for MLGW to pay the Greater Memphis Chamber \$80,608 and TVA will reimburse MLGW \$40,304. This allows MLGW to leverage its money with TVA funds to reinforce local economic development efforts by attracting new companies and investment and supporting existing business growth. The effort is outlined in a Scope of Services submitted by the Greater Memphis Chamber.

The Manager of Economic and Community Development recommends that these funds be paid to support the Greater Memphis Chamber, in partnership with MLGW and TVA, to achieve ongoing economic success and prosperity through business and industry recruitment, make local companies more globally competitive, drive the advancement of the Memphis technology community, and help create an environment that promotes the retention/expansion of local business.

These funds are included in the 2022 Budget.

NOW THEREFORE BE IT RESOLVED BY the Board of Memphis Light, Gas and Water

Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the Secretary-Treasurer is hereby authorized and directed to have a check issued in the amount of \$80,608, payable to the Greater Memphis Chamber, provided that no part of this funding shall be used

for lobbying public officials or to oppose or promote ballot initiatives, with the agreement that TVA will reimburse MLGW \$40,304.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular ~~special~~ meeting held on 16th day of March 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving the payment of an invoice from the American Public Gas Association for the 2022 Annual Membership Dues Renewal, in the amount of \$57,000.00.

2. Additional Information

The American Public Gas Association represents the interests of public gas before Congress, federal agencies, and other energy-related stakeholders by developing regulatory and legislative policies that further the goals of its members. In addition, APGA organizes meetings, seminars, and workshops with a specific goal to improve the safety, reliability, operational efficiency, and regulatory environment in which public gas systems operate.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners at its meeting held March 16, 2022, approved payment of the invoice from the American Public Gas Association for the 2022 annual membership dues in the amount of \$57,000.00.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that payment to the American Public Gas Association as set forth in the foregoing preamble is approved.

NOW THEREFORE BE IT RESOLVED by the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, the Secretary-Treasurer is hereby authorized and directed to have a check issued in the amount of \$57,000.00, payable to American Public Gas Association.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Vice President of Engineering and Operations presented for consideration of the Board, payment of an invoice from the American Public Gas Association for the 2022 Annual Membership Dues in the amount of \$57,000.00

These dues are recommended for payment to help fund governmental efforts to achieve ongoing success and prosperity for the Division.

NOW THEREFORE BE IT RESOLVED by the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, the Secretary-Treasurer is hereby authorized and directed to have a check issued in the amount of \$57,000.00, payable to the American Public Gas Association.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 16th day of March, 2022 at which a quorum was present.



Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the Item

Resolution approving Change No. 4 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, LLC, in the funded amount of \$11,940.00. (This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2022 through May 14, 2023. Innovyze, Incorporated is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, Incorporated.)

2. Additional Information

The project scope is to allow Innovyze, LLC, as a sole source provider, to develop a water distribution system model by using Geographic Information System (GIS) pipe and node information to update the existing MLGW InfoWater model. This software is used to perform detailed analysis of MLGW's water distribution system to determine areas that need major and minor infrastructure repairs.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting on March 16, 2022 approved Change No. 4 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, LLC to renew the current contract in the funded amount of \$11,940.00, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to allow Innovyze, LLC, as a sole source provider, to develop a water distribution system model by using Geographic Information System (GIS) pipe and node information to update the existing MLGW InfoWater model. This software is used to perform detailed analysis of the Water Distribution System to determine areas that need major and minor infrastructure repairs. This is for the licensing and technical support for this water system modeling software. This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2022 through May 14, 2023 in the amount of \$11,940.00. Innovyze, LLC is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, LLC. This sole source renewal complies with all applicable laws and policies. The new contract value is \$152,572.00; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby approved Change No. 4 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, LLC to renew the current contract in the funded amount of \$11,940.00 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners the approval of Change No. 4 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, LLC to renew the current contract in the funded amount of \$11,940.00.

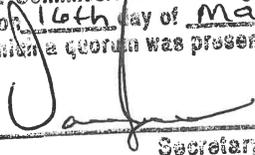
The project scope is to allow Innovyze, LLC, as a sole source provider, to develop a water distribution system model by using Geographic Information System (GIS) pipe and node information to update the existing MLGW InfoWater model. This software is used to perform detailed analysis of the Water Distribution System to determine areas that need major and minor infrastructure repairs. This is for licensing and technical support for this water system modeling software. This change is to renew annual license, maintenance, and support services for the Water Modeling Software for the period covering May 15, 2022 through May 14, 2023 in the amount of \$11,940.00. Innovyze, LLC is the sole owner, developer, and distributor of the InfoWater Software Package. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by Innovyze, LLC. This sole source renewal complies with all applicable laws and policies. The new contract value is \$152,572.00.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 4 to Contract No. 11800, InfoWater Hydraulic Model Implementation Services with Innovyze, LLC to renew the current contract in the funded amount of \$11,940.00, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 16th day of March 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution awarding Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations to Chris-Hill Construction Company, LLC, in the funded amount of \$2,372,210.00.

2. Additional Information

The project scope is to furnish all supervision, labor, transportation, materials, equipment, tools, mobilization, personal protective training, testing, confined space requirements and all work required to remove and demolish the existing Sodium Hypochlorite and Fluorosilicic Acid bulk tanks and concrete containment area; furnish and install new concrete containment areas; new Sodium Hypochlorite and Fluorosilicic Acid bulk tanks along with all associated valves, piping and fittings at various MLGW Water Pumping Stations.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 16, 2022, awarded Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations to Chris-Hill Construction Company, LLC in the funded amount of \$2,372,210.00, and is now recommending to the Council of the City of Memphis that it approves said award as approved; and

WHEREAS, the project scope is to furnish all supervision, labor, transportation, materials, equipment, tools, mobilization, personal protective training, testing, confined space requirements and all work required to remove and demolish the existing Sodium Hypochlorite and Fluorosilicic Acid bulk tanks and concrete containment area; furnish and install new concrete containment areas; new Sodium Hypochlorite and Fluorosilicic Acid bulk tanks along with all associated valves, piping and fittings at various MLGW Water Pumping Stations; and

WHEREAS, the Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on November 10, 2021. MLGW solicited 14 bids; and received three (3) bids on January 4, 2022. The lowest and best bid received was from Chris-Hill Construction Company, LLC in the amount of \$2,372,210.00. The term of this contract is 12 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved an award of Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations to Chris-Hill Construction Company, LLC in the funded amount of \$2,372,210.00.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations to Chris-Hill Construction Company, LLC in the funded amount of \$2,372,210.00.

The project scope is to furnish all supervision, labor, transportation, materials, equipment, tools, mobilization, personal protective training, testing, confined space requirements and all work required to remove and demolish the existing Sodium Hypochlorite and Fluorosilicic Acid bulk tanks and concrete containment area; furnish and install new concrete containment areas; new Sodium Hypochlorite and Fluorosilicic Acid bulk tanks along with all associated valves, piping and fittings at various MLGW Water Pumping Stations.

The Notice to Bidders was advertised using MLGW's Online Bid Notification System and the Memphis Daily News on November 10, 2021. MLGW solicited 14 bids; and received three (3) bids on January 4, 2022. The lowest and best bid received was from Chris-Hill Construction Company, LLC in the amount of \$2,372,210.00. The term of this contract is 12 months from the date of the Notice to Proceed. This award complies with all applicable laws and policies.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the award of Contract No. 12343, Chemical Containment and Tank Installation at Water Pumping Stations to Chris-Hill Construction Company, LLC in the funded amount of \$2,372,210.00, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Award.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 16th day of March 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution approving Change No. 18 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department, to authorize the annual fee payment in the funded amount of \$142,188.20. (This change is based on fiscal year 2021 data, covering January 1, 2021 through December 31, 2021, with an increase in meters from 257,942 to 258,524 from the previous year.)

2. Additional Information

The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 16, 2022 approved Change No. 18 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program, with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$142,188.20, and is now recommending to the Council of the City of Memphis that it approve said payment as funded in the 2022 budget; and

WHEREAS, the project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge. This change is to authorize the annual payment in the funded amount of \$142,188.20 based on Fiscal Year 2021 data, covering January 1, 2021 through December 31, 2021, with an increase in meters from 257,942 to 258,524 from the previous year. This payment request complies with all applicable laws and policies. The new contract value is \$2,104,106.40; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby Change No. 18 to Contract No. 9955, Partial Funding of Pollution Control, Ground Water Quality Control Program, with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$142,188.20 chargeable to the 2022 budget as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts has recommended to the Board of Light, Gas and Water Commissioners that it award the approval of Change No. 18 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$142,188.20.

The project scope is to implement a comprehensive aquifer protection program as mandated by local ordinance and regulations promulgated by the Shelby County Groundwater Quality Control Board. Joint funding is provided by MLGW and the incorporated towns of Bartlett, Collierville, Germantown, and Millington. The annual fee assessed to MLGW is based on an adjusted number of meter connections and the current per meter charge. This change is to authorize the annual payment in the funded amount of \$142,188.20 based on Fiscal Year 2021 data, covering January 1, 2021 through December 31, 2021, with an increase in meters from 257,942 to 258,524 from the previous year. This payment request complies with all applicable laws and policies. The new contract value is \$ 2,104,106.40.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, the approval of Change No. 18 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to request payment in the funded amount of \$142,188.20, as outlined in the above preamble is approved; and further,

That the President or his designated representative is authorized to execute Payment.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - ~~special~~ meeting held on 16th day of March, 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution approving Change No. 16 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated, in the funded amount of \$34,398.35. (This change is to renew the current contract for an additional year for the period covering May 11, 2022 through May 10, 2023, which reflects a 3% increase in rates from the previous term. MLGW is requesting approval of continuous maintenance support of the acquired system, which can only be performed by Advent Software, Incorporated.)

2. Additional Information

The project scope is to provide accounting and portfolio management for MLGW's Treasury Management Department.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 16, 2022 approved Change No. 16 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated to renew the current contract in the funded amount of \$34,398.35, and is now recommending to the Council of the City of Memphis that it approves said renewal as approved; and

WHEREAS, the project scope is to provide accounting and portfolio management for MLGW's Treasury Management Department. This change is to renew the current contract for an additional year for the period covering May 11, 2022 through May 10, 2023 in the amount of \$34,398.35, which reflects a 3% increase in rates from the previous term. The increase is due to continued development and the cost of supporting the software products, as well as increases in the cost of doing business. MLGW is requesting approval of continuous maintenance support of the acquired system, which can only be performed by Advent Software, Incorporated. This sole source renewal complies with all applicable laws and policies. The new contract value is \$613,433.21; and

NOW THEREFORE BE IT RESOLVED BY THE Council of the City of Memphis, that there be and is hereby approved Change No. 16 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated to renew the current contract in the funded amount of \$34,398.35 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners, the approval of Change No. 16 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated to renew the current contract in the funded amount of \$34,398.35.

The project scope is to provide accounting and portfolio management for MLGW's Treasury Management Department. This change is to renew the current contract for an additional year for the period covering May 11, 2022 through May 10, 2023 in the amount of \$34,398.35, which reflects a 3% increase in rates from the previous term. The increase is due to continued development and the cost of supporting the software products, as well as increases in the cost of doing business. MLGW is requesting approval of continuous maintenance support of the acquired system, which can only be performed by Advent Software, Incorporated. This sole source renewal complies with all applicable laws and policies. The new contract value is \$613,433.21.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of Change No. 16 to Contract No. 10793, Professional Portfolio Software, with Advent Software, Incorporated to renew the current contract in the funded amount of \$34,398.35, as outlined in the above preamble, is approved; and further

THAT, the President, or his designated representative is authorized to execute the Renewal.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 16th day of March 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution awarding a purchase order to Brighter Days and Nites, Inc., for gas regulators in the amount of \$783,838.50.

2. Additional Information

The regulators will be installed throughout our Gas Distribution system when needed at various residential and commercial-industrial service locations for upcoming jobs. Due to current supply chain disruptions which are resulting in longer lead times, this purchase is needed to ensure regulators are available to meet the projected needs for upcoming jobs.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 16, 2022 approved the purchase of gas regulators and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2022 fiscal year budget; and

WHEREAS, the regulators will be installed throughout our Gas Distribution system when needed at various residential and commercial-industrial service locations for upcoming jobs. Due to current supply chain disruptions which are resulting in longer lead times, this purchase is needed to ensure regulators are available to meet the projected needs for upcoming jobs; and

WHEREAS, bids were opened on January 19, 2022. Notice to Bidders was advertised. Twenty-two (22) bids were solicited, and four (4) bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies; and

Now **THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved the purchase of gas regulators from Brighter Days and Nites, Inc. for the sum of \$783,838.50. Due to the delivery time of the gas regulators, funds will be requested for carry over to the 2023 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Brighter Days and Nites, Inc. in the amount of \$783,838.50 for gas regulators.

The regulators will be installed throughout our Gas Distribution system when needed at various residential and commercial-industrial service locations for upcoming jobs. Due to current supply chain disruptions which are resulting in longer lead times, this purchase is needed to ensure regulators are available to meet the projected needs for upcoming jobs.

Bids were opened on January 19, 2022. Notice to Bidders was advertised. Twenty-two (22) bids were solicited and four (4) bids were received with the lowest and best complying bidder being the firm of Brighter Days and Nites, Inc. This award complies with all applicable laws and policies.

The 2022 budgeted amount for Residential Service is \$959,000.00; of which \$58,611.63 has been spent to date; leaving a balance available of \$900,388.37 available to be spent in 2022; of which \$783,838.50 will be requested for carry over to the 2023 budget year due to delivery time of the gas regulators; leaving a balance available of \$116,549.87 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a purchase order to Brighter Days and Nites, Inc. is approved for furnishing:

10,000 - Regulators, service, ¾" FIP inlet and outlet, for use with natural gas, specific gravity 0.60, with full internal relief valve, 1/8" orifice;

250 - Regulators, spring loaded with full internal relief. 2" ANSI 125 flanged connections, D.I. body. Inlet pressure to be 100 PSI and outlet pressure to be set at 2 PSI;

2,000 - Regulators, service, 1" FIP inlet and outlet, used with natural gas, specific gravity 0.60, with full internal relief valve, 1/8" orifice;

200 - Regulators, 1" FIP, screwed ends, gas service, standard trim, with internal high relief, 1/8" orifice;

100 - Regulators, spring loaded with full internal relief. 1.5" ANSI 125 screwed connections, D.I. body. Inlet pressure to be 100 PSI;

50 - Regulators, 1/2" FIP, screwed ends, gas service, standard trim, with internal high relief, 3/8" orifice;

400 - Regulators, spring loaded with full internal relief. 2" ANSI 125 flanged connections, D.I. body. Inlet pressure to be 100 PSI;

The total award amounts to approximately \$783,838.50; f.o.b. Memphis, Tennessee, transportation prepaid; our dock; said prices being firm; terms net 15 days; delivery 12 to 52 weeks after release.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 16th day of March, 2022, at which a quorum was present.


Secretary - Treasurer

Memphis City Council Summary Sheet for MLGW Items

1. Description of the item

Resolution awarding a purchase order to Automotive Tool Group for polyvinyl chloride (PVC) conduit in the amount of \$311,250.00.

2. Additional Information

The conduit PVC is needed to cover a project to begin in the second quarter of 2022 to install 3" Schedule 40 electrical conduit. The PVC will be issued to those crews assigned to work on the project.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of March 16, 2022 approved a purchase order for polyvinyl chloride (PVC) conduit and is now recommending to the Council of the City of Memphis that it approves said purchase as approved in the 2022 fiscal year budget; and

WHEREAS, the PVC conduit is needed for a project to install 3" schedule 40 electrical conduit, in the second quarter of 2022. The PVC will be issued to those crews assigned to work on the project; and

WHEREAS, bids were opened on January 19, 2022. Notice to Bidders was advertised. Twenty-one (21) bids were solicited and eight (8) bids were received with the lowest and best complying bidder in accordance with MLGW's Local Bidding Preference policy being the firm of Automotive Tool Group. This award complies with all applicable laws and policies; and

Now **THEREFORE BE IT RESOLVED** by the Council of the City of Memphis that there be and is hereby approved a purchase order for polyvinyl chloride (PVC) conduit from Automotive Tool Group for the sum of \$311,250.00 chargeable to the MLGW 2022 fiscal year budget.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
March 16, 2022

The Manager of Procurement and Contracts recommends to the Board of Light, Gas and Water Commissioners that it awards a purchase order to Automotive Tool Group in the amount of \$311,250.00 for polyvinyl chloride (PVC) conduit.

The conduit PVC is needed to cover a project to begin in the second quarter of 2022 to install 3" Schedule 40 electrical conduit. The PVC will be issued to those crews assigned to work on the project.

Bids were opened on January 19, 2022. Notice to Bidders was advertised. Twenty-one (21) bids were solicited and eight (8) bids were received with the lowest and best complying bidder in accordance with MLGW's Local Bidding Preference policy being the firm of Automotive Tool Group. This award complies with all applicable laws and policies.

The 2022 budgeted amount for Joint Trench Resident Subdivision is \$1,946,000.00; of which 311,250.00 will be spent on this purchase order in 2022; leaving a balance of \$1,634,750.00 after award; and

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, subject to the consent and approval of the Council of the City of Memphis, award of a purchase order to Automotive Tool Group for furnishing:

50,000 feet - Conduit, PVC, 3", to be supplied in 20-ft. lengths, schedule 40 of iron pipe dimensions, gray in color, sunlight resistant for external use, to be manufactured in accordance with the latest NEMA standard TC 2, covering epc-40-PVC-electrical plastic conduit and fittings for type II and III applications, with the exception that table 3-3 "socket depth" dimension shall be 2.875" minimum and 3.625" maximum;

Total award amount is \$311,250.00; f.o.b. Memphis, Tennessee, our dock, transportation prepaid; said price being firm; delivery 12 weeks, terms net 15 days.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular - special meeting held on 16th day of March, 2022 at which a quorum was present.



Secretary - Treasurer

Ordinance to amend the City Council meeting dates for 2022.

WHEREAS, Referendum Ordinance 4274, approved by the citizens of Memphis on November 8, 1994, amended the Council's meeting dates to the first and third Tuesdays of each month; and

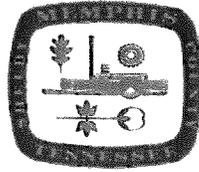
WHEREAS, the Council wishes to amend the 2022 meeting dates.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council will conduct its regular meetings on:

January 4	January 18
February 1	February 15
March 1	March 22
April 5	April 19
May 10	May 24
June 7	June 21
July 12	July 26
August 9	August 23
September 13	September 27
October 11	October 18
November 1	November 15
December 6	December 20

Sponsor:

Jamita Swearngen, Chairwoman



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A resolution to amend a previously appropriated allocation of Department of Treasury funding in the amount of \$5,507,654.13 and to appropriate an additional allocation of \$15,570,982.96 for the Division of Housing and Community Development's Emergency Rental and Utility Assistance in response to the pandemic.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The Division of Housing and Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

Not applicable.

4. State whether this will impact specific council districts or super districts.

Citywide

5. State whether this requires a new contract, or amends an existing contract, if applicable.

New contracts and contract amendments will be required.

6. State whether this requires an expenditure of funds/requires a budget amendment.

Expenditure of funds will be required.

7. If applicable, please list the MWBE goal and any additional information needed.

Not applicable to MWBE.



RESOLUTION to amend a previously appropriated allocation of Department of Treasury funding in the amount of \$5,507,654.13 and to appropriate an additional allocation of \$15,570,982.96 for the Division of Housing and Community Development's Emergency Rental and Utility Assistance in response to the pandemic.

WHEREAS, the US Department of Treasury through the Emergency Rental and Utility Assistance Fund, has provided payments to assist State, Local, and Tribal governments in navigating the impact of the COVID-19 outbreak on rental and utility delinquency; and

WHEREAS, the US Department of Treasury requires that the payment from the Emergency Rental and Utility Assistance Funds only be used to cover expenses that –

1. Are necessary delinquencies incurred due to the COVID-19 Pandemic.
2. Provide assistance to eligible households that qualify for unemployment or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19; demonstrates a risk of experiencing homelessness or housing instability; and has a household income at or below 80 percent of the area median.
3. Were incurred during the period that begins on March 13, 2020 through August 31, 2022; and

WHEREAS, the City of Memphis Division of Housing and Community Development has received a reallocation of a portion of the State's funding from the US Department of Treasury in the amount of \$28,735,586.76 to allocate towards Emergency Rental and Utility Assistance; and

WHEREAS, this represented an increase of \$5,507,654.13 over what was originally appropriated on September 7, 2021; and

WHEREAS, the City of Memphis Division of Housing and Community Development has received an additional reallocation of a portion of the State's funding from the US Department of Treasury in the amount of \$15,570,982.96 to allocate towards Emergency Rental and Utility Assistance; and

WHEREAS, guidance from the US Department of Treasury as of January 6, 2021, states that local government is authorized to use the funds to assist in Emergency Rental and Utility payments; and

WHEREAS, the COVID-19 pandemic has disrupted the national and local economy, resulting in an inability for some households to cover rental and utility payments; and

Resolution-Division of Housing and Community Development

WHEREAS, significant evictions and utility suspensions could result in more individuals and families without utility and/or becoming homeless resulting in more susceptible to contracting COVID-19; and

WHEREAS, the City of Memphis Division of Housing and Community Development has worked to develop Emergency Rental and Utility Assistance funding in partnership with Shelby County Division of Community Services, Shelby County General Sessions Court, Neighborhood Preservation Inc., Memphis Area Legal Services, University of Memphis Law School, Innovate Memphis, BLDG Memphis, United Housing, Memphis Light, Gas, and Water, Memphis Interfaith Association, United Way, and other stakeholders; and

WHEREAS, the Emergency Rental and Utility Assistance Funds will support residential tenants facing utility suspension, eviction or high risk of eviction as a result of the pandemic or facing housing instability if evicted; and

WHEREAS, program funds will help provide access to direct legal services to negotiate with property owners to settle delinquencies and to have eviction cases dropped or to raise available defenses in court, or on appeal; and

WHEREAS, program funds will be available to directly pay negotiated settlements to owners and cover administrative fees necessary to operate the program; and

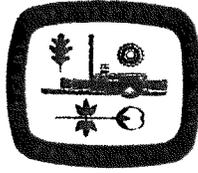
WHEREAS, customers and/or tenants will have voluntary access to counseling sessions with a certified housing counselor to discuss long term financial planning and housing goals after a payment to the landlord has been completed; and

WHEREAS, it is imperative that the general fund budget be amended in accordance with Tennessee Constitution Article 2 § 24, TCA § 9-1-116, Municipal Budget Law of 1982.

NOW, THEREFORE BE IT RESOLVED, that the following unbudgeted necessary expenditures to be incurred for actions taken in response to the public health emergency be approved as reallocated from the State's portion of funding through the US Treasury in the amended amount of \$44,306,569.72, which includes an amount not yet appropriated from the first reallocation of \$5,507,654.13 and amount not yet appropriated of \$15,570,982.96 from a subsequent reallocation as follows:

AWARD 13204 ERA Program

Previously Appropriated	\$23,227,932.63
Additional Reallocation #1	\$5,507,654.13
Additional Reallocation #2	<u>\$15,570,982.96</u>
Award 13204 Total	\$44,306,569.72



Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A resolution amending and appropriating the sum of \$755,453.18 chargeable to the FY2022 Budget by appropriating funds to the Division of Housing and Community Development Affordable Housing Program and Memphis Housing Authority Low Income Housing Program accounts.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

The Division of Housing and Community Development

3. State whether this is a change to an existing ordinance or resolution, if applicable.

Not applicable.

4. State whether this will impact specific council districts or super districts.

Citywide

5. State whether this requires a new contract, or amends an existing contract, if applicable.

New contracts and contract amendments will be required.

6. State whether this requires an expenditure of funds/requires a budget amendment.

Expenditure of funds will be required.

7. If applicable, please list the MWBE goal and any additional information needed.

Not applicable to MWBE.



A resolution amending and appropriating the sum of \$755,453.18 chargeable to the FY2022 Budget by appropriating funds to the Division of Housing and Community Development Affordable Housing Program account.

WHEREAS, the Division of Housing and Community Development continues in its efforts to assist in the development of affordable housing options within the City of Memphis; and

WHEREAS, the Council of the City of Memphis has declared by resolution dated May 7, 2002, that the Health Educational and Housing Facility Board of the City of Memphis, Tennessee to be performing a public function on behalf of and as a public instrumentality of the City, and recognizes that all property owned by it is exempt from all taxation in the State of Tennessee; and

WHEREAS, the Council of the City of Memphis also delegated to the Health Educational and Housing Facility Board of the City of Memphis, Tennessee by resolution dated May 7, 2002, the authority to negotiate and enter into with a lessee of the Board, payments in lieu of ad valorem taxes, provided that such authorization shall be granted only upon a finding that such payments are deemed to be in furtherance of the public purpose of the Board; and

WHEREAS, the Division of Housing and Community Development has received PILOT proceeds from the Health Educational and Housing Facility Board of the City of Memphis, Tennessee in the amount of SEVEN HUNDRED FIFTY-FIVE THOUSAND, FOUR HUNDRED FIFTY-THREE DOLLARS AND 18/100 (\$755,453.18); and

WHEREAS, the Division of Housing and Community Development also desires to enter into a contractual agreement to grant FIVE HUNDRED SEVENTY-NINE THOUSAND, ONE HUNDRED SIXTY-THREE DOLLARS AND 42/100 (\$579,163.42) of the PILOT proceeds to the Affordable Housing Program; and

WHEREAS, the Division of Housing and Community Development also desires to enter into a contractual agreement to grant ONE HUNDRED SEVENTY-SIX THOUSAND, TWO HUNDRED EIGHTY-NINE DOLLARS AND 76/100 (\$176,289.76) of the PILOT proceeds to the Memphis Housing Authority to support the Low-Income Housing Program; and

Division of Housing and Community Development-Resolution

WHEREAS, it is necessary to amend the Fiscal Year 2022 Budget by appropriating FIVE HUNDRED SEVENTY-NINE THOUSAND, ONE HUNDRED SIXTY-THREE DOLLARS AND 42/100 (\$579,163.42) in revenues for the Affordable Housing Program; and

WHEREAS, it is necessary to amend the Fiscal Year 2022 Budget by appropriating ONE HUNDRED SEVENTY-SIX THOUSAND, TWO HUNDRED EIGHTY-NINE DOLLARS AND 76/100 (\$176,289.76) in revenues for Memphis Housing Authority to support the Low-Income Housing Program;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Division of Housing and Community Development be authorized to enter into a contractual agreement to provide a grant in the amount of SEVEN HUNDRED FIFTY-FIVE THOUSAND, FOUR HUNDRED FIFTY-THREE DOLLARS AND 18/100 (\$755,453.18) to be set aside to the Division of Housing and Community Development Affordable Housing Program and Memphis Housing Authority Low Income Housing Program.

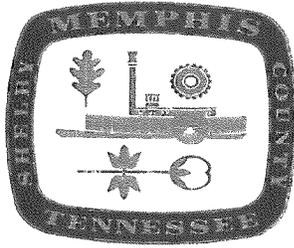
BE IT FURTHER RESOLVED, that there be and is hereby appropriated the sum of SEVEN HUNDRED FIFTY-FIVE THOUSAND, FOUR HUNDRED FIFTY-THREE DOLLARS AND 18/100 (\$755,453.18), chargeable to and amending the FY2022 Budget by appropriating funds for the HCD's Affordable Housing Programs and MHA's Low-Income Housing Program as follows:

REVENUE:

CD90043	Award 12106 HEHFB	\$755,453.18
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EXPENSE:

CD90043	Award 12106 Professional Services	\$755,453.18
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Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

This item is a resolution that accepts, allocates and appropriates thirty three thousand, nine hundred sixty four dollars and zero cents (\$33,964.00) in grant funds for the Memphis Public Library and Information Center's LINC 2-1-1 Professional Fees/Grants & Awards.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Memphis Public Library and Information Center has drafted this resolution and is recommending City Council approval.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

N/A

4. State whether this will impact specific council districts or super districts.

All Council Districts (both super districts)

5. State whether this requires a new contract, or amends an existing contract, if applicable.

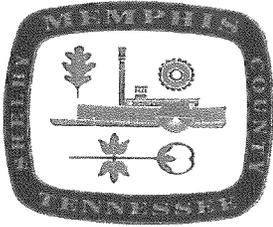
This amendment requires a new contract with the United Way of Greater Nashville and the City of Memphis.

6. State whether this requires an expenditure of funds/requires a budget amendment.

This program requires an FY22 budget amendment to accept, allocate and appropriate grant funds for LINC 2-1-1 Professional Fees/Grants & Awards.

7. If applicable, please list the MWBE goal and any additional information needed.

N/A



A Resolution to accept, allocate, and appropriate funding for the Memphis Public Library & Information Center’s LINC 211 to be used for Professional Fees/Grants & Awards from the United Way of Greater Nashville

WHEREAS, the City of Memphis/ Memphis Public Library & Information Center has received grant funds up to the amount of thirty three thousand, nine hundred sixty four dollars and zero cents (\$33,964.00) from the United Way of Greater Nashville; and

WHEREAS, these funds will be used for LINC 2-1-1 Professional Fees/Grants & Awards; and

WHEREAS, matching funds for the Professional Fees/Grants & Awards will come from Memphis Public Library and Information Center’s operating budget; and

WHEREAS, it is necessary to accept, allocate, and appropriate the grant funds in the amount of thirty three thousand, nine hundred sixty four dollars and zero cents (\$33,964.00) for LINC 2-1-1; and

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Memphis that thirty three thousand, nine hundred sixty four dollars and zero cents (\$33,964.00) for LINC 2-1-1 be accepted by the City of Memphis;

BE IT FURTHER RESOLVED, that the Fiscal Year Operating Budget be and is hereby amended by allocating and appropriating the revenues and expenditures for LINC 2-1-1 Professional Fees/Grants & Awards in the amount of thirty three thousand, nine hundred sixty four dollars and zero cents (\$33,964.00) as follows:

Revenue

United Way of Metropolitan Nashville **\$33,964.00**

Expense

Professional Fees/ Grants & Awards for LINC 2-1-1 **\$33,964.00**

A RESOLUTION TO AMEND THE MEMPHIS CITY COUNCIL COMMUNITY GRANT PROGRAM FOR FY23

WHEREAS, the Memphis City Council desires to promote community programming and improve neighborhoods; and

WHEREAS, Tenn. Code Annotated § 6-64- 111, empowers the Memphis City Council to appropriate funds for the financial aid of nonprofit organizations working to promote the general welfare of Memphis residents; and

WHEREAS, nonprofit organizations and citizens work together to meet the needs of Memphians in need by extending the reach of City of Memphis Services; and

WHEREAS, The Memphis City Council recognizes nonprofit agencies as valued partners in the continuing efforts to improve the lives of Memphians; and

WHEREAS, it is important to the members of the Memphis City Council to prioritize funding specialized programs congruent with the needs of the City, the Memphis City Council will be cognizant of financial requests that exceed more than thirty percent of their total operating budget; and

WHEREAS, the Memphis City Council seeks to create a transparent process for the publication, application, and selection process for deserving nonprofit organizations within our City; and

WHEREAS, government grants are funded by tax dollars, so stringent compliance and reporting measures will be in place to ensure the money is well-spent.

NOW, THEREFORE BE IT RESOLVED, that the Memphis City Council does hereby create the Memphis City Council Community Grant Program for Fiscal Year 2023 (“FY23”) (July 1, 2022 – June 30, 2023), establishing a policy for meeting the needs of citizens and nonprofit requests for financial assistance as set forth below:

Budget Hearings

Nonprofit Organizations and Agencies working to improve the general welfare of citizens will have the opportunity to apply to the Memphis City Council Community Grant Program. The funding decisions of the Memphis City Council are final and subject to the availability of funds.

Eligibility

All applicants shall be a tax exempt 501(c)(3) organization, with an official address listed within the City of Memphis, that has been in operation under its tax-exempt status for two years prior to the application. The organization must provide proof of current programming and successful track record in providing the services for which they are requesting funding within the City of Memphis. The funding requests should address one of the following City of Memphis priorities: Crime and Drug Prevention, Youth Empowerment, Economic Development, and Poverty. The organizations must be in compliance with State requirements and show proof of current certification status. The funds shall only be used for public use and applicants cannot be used for political activities, to support any election or campaign or political party; or to support any group or activity that discriminates based on race, color, religion, sex, national origin, disability, or age. The Memphis City Council will not accept financial requests that exceed more than thirty (30%) percent of the total operating budget as reported on the most recently filed and accepted Charitable Organizations filing, including IRS form 990EZ and 990.

Application

All agencies requesting funding shall submit a complete application and presentation. Proof of nonprofit status and financial information must be submitted with an application along with a presentation that further clarifies the goals the organization intends to accomplish with their requested funds.

Only applications submitted during the application period will be considered for a Memphis City Council Community Grant for FY23.

Applications and presentations shall be submitted online using a link on the Memphis City Council website or delivered to the Memphis City Council Office, Attn: City Council Budget Committee 125 N. Main St., Suite 514 Memphis, TN 38103.

Applications will be available April 6– May 4, 2022. All completed applications must be submitted and received by Friday, May 4, 2022 at 12:00 p.m.

Application Review

All applications will be reviewed by the Memphis City Council staff. The staff will review applications to ensure all eligibility criteria are met. The staff shall then submit the list of qualified agencies for City Council Review during FY23 Budget Hearings. All applicants must submit the most recently filed and accepted Charitable Organizations filing, IRS Form 990EZ or 990, and a complete presentation, using the template provided by the City Council at the time of application submission. The name of the organization listed on the Charitable Organizations filing must match the applicant's name. **If the applicant's name does not match the organization identified on the Charitable Organizations filing, the application will not be considered.** The staff will evaluate applications and presentations to ensure all applications are complete, address a public need, show proof of current nonprofit status, and a demonstrated history of community involvement. Priority will be given to first-time applicants. All documentation will be reviewed and verified through the IRS website <https://www.irs.gov/charities-non-profits/annual-filing-and-forms>

If any information contained in the application does not match the information provided to the IRS, the application will be null and void, and the applicant may not re-apply until the next fiscal year (FY2024).

Budget Presentation

All agencies presenting before the Budget Committee during the FY23 Budget Hearings will have an allotted time to make a budget presentation. The completed presentation template, submitted with the application, shall be used during the presentation. The template will include space to provide current contact information, how the requested funds will be used to enhance the quality of life for citizens, and financial reporting documents.

Grant Disbursement

Funds will be disbursed in two payments during the fiscal year. Upon completion of agreement between the grant recipient and the City of Memphis, fifty percent (50%) of the grant award will be disbursed. **Grant**

recipients must submit a mid-year grant report to the Memphis City Council and City of Memphis Finance Office by January 15, 2023. This report shall include an accounting of funds spent, proof of public use, and current nonprofit status. Upon favorable review of the mid-year report, the City of Memphis Finance Office will disburse the remaining fifty percent (50%) of the grant award. Grant recipients shall submit a final grant report by May 1, 2023.

Failure to submit a mid-year grant report by the deadline may result in forfeiture of the remaining grant award to be disbursed.

Any approved applications for grant funds will be included in the FY23 Budget. All grant recipients are required to comply with the guidelines set forth by the City of Memphis Finance Office. **Failure to comply with the guidelines required by the Finance Division may result in forfeiture of the grant award.** Every grant recipient must accept the funds and complete an agreement with the City of Memphis Finance Department.

THEREFORE, BE IT FURTHER RESOLVED that the Memphis City Council, as a whole, will distribute the \$2,600,000 in Grant funding during the FY23 Budget Hearings from Community Initiatives Grants line item included in the Administration FY23 Budget Proposal, and each Council Member shall allocate at least seventy-five (75%) percent of his or her allotted funds during the initial budget hearings for FY23.

Sponsor:

Martavius Jones

RESOLUTION REQUESTING AN INCREASE IN PAY FOR CITY OF MEMPHIS RETIREES

WHEREAS, as we continue to experience a global pandemic, the costs of living and consumer goods and services have greatly increased in the past several months, and inflation has only exacerbated the increases in these costs; and

WHEREAS, even prior to the effects of the COVID-19 pandemic, the costs of essential expenses such as housing and food have risen over the years; and

WHEREAS, City of Memphis retirees' pension pay has not increased in response to these greatly increased costs, making it harder for retirees to afford everyday expenses; and

WHEREAS, City of Memphis retirees have served the City and its citizens for many years prior to their retirement and deserve to receive compensation commensurate with the increased cost of living.

NOW, THEREFORE, BE IT RESOLVED that the Memphis City Council does hereby request an increase in pay for City of Memphis retirees in FY23.

BE IT FURTHER RESOLVED that the Memphis City Council does hereby request that the City of Memphis Division of Human Resources and Division of Finance conduct and/or contract with a consultant firm to conduct the necessary analyses to determine a feasible increase in City of Memphis retiree pay that can be included in the FY23 City of Memphis budget and present it to the Memphis City Council for consideration.

Sponsor:
Patrice Robinson
Ford Canale

Jamita Swearengen
Chairwoman

RESOLUTION ESTABLISHING A METROPOLITAN GOVERNMENT CHARTER COMMISSION, AUTHORIZING THE MAYOR TO APPOINT MEMBERS; ESTABLISHING A VETTING PROCESS; REQUESTING THE COUNTY COMMISSION ADOPT A SIMILAR RESOLUTION; AMENDING THE FY2022 OPERATING BUDGET; AND APPROPRIATING FUNDS

WHEREAS, the citizens of Shelby County and the City of Memphis are demanding a more effective, efficient, and streamlined government that prepares and positions Memphis and Shelby County to address the current economic crisis and the increasing competition for new jobs and economic expansion; and

WHEREAS, Tennessee Code Annotated Section 7-2-101 et seq. allows for the merger of Shelby County Government with City of Memphis Government if approved by a majority of the voters of Memphis in a referendum and a majority of the voters of Shelby County outside Memphis in a separate referendum held on the same day; and

WHEREAS, Tennessee Code Annotated Section 7-2-101 et seq. provides the vehicle for Memphis and Shelby County to build a new government from the ground up, a new government that is simpler, more understandable, more responsive, and more accountable; and

WHEREAS, Tennessee Code Annotated Section 7-2-101 et seq. provides for the formation of a metropolitan government charter commission to prepare a vision for a new merged government known in the general law as a metropolitan form of government; and

WHEREAS, an efficient new government gives Memphis and Shelby County a fresh start and eliminates bureaucracy, because every dollar spent on duplication and fragmentation is a dollar that can't be spent educating a child, protecting neighborhoods, and strengthening families; and

WHEREAS, a new government can eliminate the cumbersome red tape that results in lost opportunities for new jobs and economic growth; and

WHEREAS, the Memphis and Shelby County Charter Commission will be charged with creating a new government that has the capacity and authority to develop programs to make our community safer, to revitalize our neighborhoods, to fight corruption, and to create jobs that will keep our young adults here; and

WHEREAS, Memphis and Shelby County is being outpaced by peer cities like Nashville, Indianapolis, Jacksonville, and Louisville, whose merged governments can act more entrepreneurially and make decisions more quickly, but most importantly, act with one vision that promotes unity for the future; and

WHEREAS, Memphis and Shelby County have two large governments doing the job of one and doing nothing is not an option in the face of the historic challenges confronting our community; and

WHEREAS, the people of Memphis and Shelby County are anxious to have a voice in how their government is run and they deserve the right to vote on their government's future; and

WHEREAS, because state law provides that the County Mayor will appoint ten members and the City Mayor will appoint five members to the metropolitan government

charter commission, it is the desire of the City Council that the vetting process for selecting members include, but not be limited to, the receipt of an application by the County and City Mayors for their respective nominees and an interview of the nominees by the respective legislative bodies; and

WHEREAS, the separate appointments by the City Mayor and the County Mayor shall be made and confirmed within thirty (30) days after the consolidation resolution is submitted to their respective governing bodies for adoption; and

WHEREAS, the resolutions appointing the City Mayor's nominees should authorize a majority of the members of the metropolitan government charter commission to defer its organizational meeting until November 1, 2021 which would require the metropolitan government charter commission perform its work between November 1, 2021 and August 1, 2022 in accordance with state law; and

WHEREAS, it is also the desire of the City Council that the proposed charter be filed not less than 80 days nor more than 100 days before the November 1, 2022 statewide election and, to ensure that the proposed charter is filed during that time period; and

WHEREAS, the actions and final conclusions of such a commission should be subject to absolute transparency and full disclosure of all changes and ramifications of the passage of such document and the members of the metropolitan government charter commission shall appear before the Memphis City Council prior to any final vote of the metropolitan government charter commission for the purpose of educating the public and answering questions regarding the proposed charter; and

WHEREAS, it is further the desire of the City Council that the resolution appointing members to the metropolitan government charter commission direct said members to file the proposed charter on August 1, 2022; and

WHEREAS, Tennessee Code Annotated Section 7-2-104 requires that whenever a metropolitan government charter commission is formed, it is the duty of the legislative body of the county to appropriate at least twenty-five thousand dollars (\$25,000.00), but not more than fifty thousand dollars (\$50,000.00), to defray the expenses of the charter commission, which will require an amendment to the county general fund budget; and

WHEREAS, funds should be transferred to an account that will be utilized for the expenses of the metropolitan charter commission created herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS CITY COUNCIL that the Memphis and Shelby County Charter Commission is hereby established pursuant to Tennessee Code Annotated, Title 7, Chapter 2, to propose to the voters of the City of Memphis and Shelby County the merger of the governmental and corporate functions of the City of Memphis and Shelby County, and the creation of a new metropolitan government that responds to the needs of the community in its services and vision.

BE IT FURTHER RESOLVED, that the Mayor of City of Memphis is hereby authorized to nominate for appointment five (5) members of the metropolitan government charter commission, and to present all nominees, together with biographical and background information about each nominee, to the members of the Council's Personnel, Intergovernmental

and Annexation Committee for an interview within twenty-one (21) days after this resolution was presented to the Council for adoption at one of its regular meetings;

BE IT FURTHER RESOLVED, that the Mayor of Memphis is hereby authorized to appoint persons to the metropolitan government charter commission who are broadly representative of Memphis in accordance with state law.

BE IT FURTHER RESOLVED, that the City Council shall vote to confirm the City Mayor's nominees within thirty (30) days after this resolution was presented to the Council for adoption at one of its regular meetings;

BE IT FURTHER RESOLVED, that the metropolitan government charter commission shall perform its work in the manner established by general state law and the resolution appointing its members.

BE IT FURTHER RESOLVED, that members of the metropolitan government charter commission shall not receive per diem or other compensation for their services, except reimbursement of actual expenses incurred by members in carrying out their duties as members of the metropolitan government charter commission.

BE IT FURTHER RESOLVED, that the FY2022 Operating Budget is hereby amended to establish a line item budget of \$50,000 for the Memphis and Shelby County Charter Commission and said funds are hereby appropriated.

BE IT FURTHER RESOLVED that:

1. This resolution shall take effect upon approval of a substantially similar resolution by the Board of County Commissioners of Shelby County, Tennessee, or upon its approval, whichever occurs last, the public welfare requiring it.
2. Certified copies of this resolution shall be sent by Council Records to the Mayor and Clerk of Shelby County and to the Mayors and Clerks of the Cities and Towns of Memphis, Arlington, Bartlett, Collierville, Germantown, Lakeland and Millington respectively.
3. The Council Staff is authorized to provide information and assistance to the staff of Board of Commissioner, if requested, regarding the consolidation process, including a propose form of resolution.

SPONSOR:

FRANK COLVETT, JR.
CHAIRMAN